

# **STATE PERFORMANCE PLAN / ANNUAL PERFORMANCE REPORT: PART B**

**for STATE FORMULA GRANT PROGRAMS under the Individuals with Disabilities Education Act**

**For reporting on  
FFY 2019**

**Rhode Island**



**PART B DUE  
February 1, 2021**

**U.S. DEPARTMENT OF EDUCATION  
WASHINGTON, DC 20202**

## Introduction

### Instructions

Provide sufficient detail to ensure that the Secretary and the public are informed of and understand the State's systems designed to drive improved results for students with disabilities and to ensure that the State Educational Agency (SEA) and Local Educational Agencies (LEAs) meet the requirements of IDEA Part B. This introduction must include descriptions of the State's General Supervision System, Technical Assistance System, Professional Development System, Stakeholder Involvement, and Reporting to the Public.

### Intro - Indicator Data

#### Executive Summary

Rhode Island has worked diligently to maintain and improve outcomes for students with disabilities. Executive Summary for our Indicators:

Indicator 1: The target graduation rate for the 2018-2019 school year is 67.9. Using the 4-year cohort, the target was not met however, no slippage is reported. The graduation rate improved by 2 percentage points from last school year increasing from 62.38% to 64.41%. The graduation rate this year is 8.4% above RI's baseline.

Indicator 2: The target dropout rate for the 2018-2019 school year is 16.7%. For FFY 2019, Rhode Island's dropout rate is 6.01% exceeding the target by 11%.

Indicator 3: The waiver of the statewide assessment in the spring of 2020 due to COVID has, of course, impacted the collection of data. Targets will remain the same.

Indicator 4: No districts had a significant discrepancy in rates of suspension greater than 10 days for students with IEPs compared to students without IEPs. This is also true when broken down by race/ethnicity. Targets for 4A and 4B were met.

Indicator 5: Educational Environment C has demonstrated slippage. The target for this environment is 4% and this was not met. RI continues to support LEAs in reducing this slippage. All other targets were met.

Indicator 6: FFY 2019 represents the fourth year implementing the COS process as a means of collecting the federally mandated Child Outcomes data. RIDE supports LEAs through professional development and technical assistance, ensuring implementation fidelity and participation by ECSE teams, families, and early childhood teachers. The targets that were not met and the slippage that occurred can be attributed to the sudden move to virtual assessments and virtual meetings last spring, just when final COS exit ratings were to be determined. The baseline was revised using data from FFY 2019 data.

Indicator 7: FFY 2019 represents the fourth year implementing the COS process as a means of collecting the federally mandated Child Outcomes data. RIDE supports LEAs through professional development and technical assistance, ensuring implementation fidelity and participation by ECSE teams, families, and early childhood teachers. The targets that were not met and the slippage that occurred can be attributed to the sudden move to virtual assessments and virtual meetings last spring, just when final COS exit ratings were to be determined

Indicator 8: Survey responses from special education families increased 95% from spring 2018 to spring 2020 and 13% from spring 2019 to spring 2020. The number of respondent parents who reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities was 1,848. The total number of respondent parents of children with disabilities was 5,754. The calculation for this Indicator is 32.09% closely matching the previous year although resulting in not meeting the target of 51%.

Indicator 9: No districts were found to have disproportionate representation due to inappropriate identification of children with disabilities by race/ethnicity under all disabilities .

Indicator 10: No districts were found to have disproportionate representation due to inappropriate identification in discrete disability categories.

Indicator 11: Child Find. The Special Education Initial Evaluation System is on eRIDE and every local education agency must enter their data through this system. All children with parental consent for an initial evaluation to determine eligibility for special education services must be reported on this system. The purpose of this system is to ensure that all children for whom parental consent to evaluate, were evaluated within 60 calendar days (not business days) as stated under Regulation 300.301 of Rhode Island's Regulations Governing The Education Of Children With Disabilities. Rhode Island compliance rate was 99.05%.

Indicator 12: Although Rhode Island did not meet 100% compliance, the FFY 2019 data indicates that 97.3% of children referred by Part C and found eligible for Part B had an IEP developed and implemented by their third birthdays. The slight 1% decrease from FFY 2018 can be attributed to the sudden school closings in the spring. Referral, eligibility, and IEP meetings, along with assessments scheduled to be held during the closure, needed to be canceled and rescheduled virtually.

Indicator 13: For FFY 2019, Rhode Island has a 99.98% compliance rate, improved over the 98.21% compliance baseline established in FFY 2009. Indicator 13 continues to demonstrate solid and continuous improvement in both compliance and quality.

Indicator 14: For FFY 2019, although Rhode Island did not meet measurement targets for Indicator 14, increases in both Measurement A and Measurement C occurred with slippage only in Measurement B. Rhode Island's Survey Response Rate was 73% and representative of the demographics of youth who are no longer in school and had IEPs in effect at the time they exited school. The overall respondent engagement rate demonstrates an increase of 2% from FFY 2018 reflecting RI's continued efforts in improving the implementation of post-school outcome strategies and evidenced based practices.

Indicator 15: For FFY 2019 the target was 57% and the data was 42.86% resulting in slippage. The total number of due process complaints filed in FY2019 was 11. The total number of resolution sessions that were held was 7. The number of written settlement agreements reached through the 7 resolution meetings was 3. The reason for slippage is that there was a decrease in the total number of "Written settlement agreements reached through resolution meetings" by 3 from FYY2018 and a decrease in the number of "Resolution meetings" by 4 from FYY 2018 resulting in a total slippage of 11.69 percent for the indicator calculation. It shall be noted that there was also a decrease in the total number special education due process complaints

received (11 FFY 2019 v. 21 FFY 2018).

Indicator 16: Special Education Mediations. For FFY 2019 the target was 92% and the data was 70.59% resulting in slippage. The reason for slippage is that there was a decrease in the total number of mediation "agreements" by 13 from FFY2018 and a decrease in the total number of mediations "held" by 10 from FFY 2018 resulting in a total slippage of 22 percent. It shall be noted that there was also a decrease in the total number of mediation requests (31 FFY 2019 v. 40 FFY 2018). The calculation of this indicator does not incorporate the number of mediation requests that were withdrawn or not held. During FFYs 2018 and 2019 that number was both 13.

Indicator 17: With the waiver of math statewide assessment in the spring of 2020 due to COVID, RI does not have new SiMR data to report in this APR. The April submission will include robust reporting of all coaching, fidelity, and formative student data. Verification is provided that Indicator 17 attachment is in compliance with section 508 with matching file names.

#### **Additional information related to data collection and reporting**

#### **Number of Districts in your State/Territory during reporting year**

62

#### **General Supervision System**

**The systems that are in place to ensure that IDEA Part B requirements are met, e.g., monitoring, dispute resolution, etc.**

The systems that are in place to ensure that IDEA Part B requirements are met, e.g., monitoring, dispute resolution, etc.

The General Supervision System in Rhode Island is managed by the Rhode Island Department of Education (RIDE), Office of Student, Community & Academic Supports (OSCAS) as the State Education Agency (SEA) and is composed of three primary operations: Performance monitoring through the LEA Consolidated Resource Plan Application Differentiated Monitoring: School Support System (SSS)

Rhode Island's Collaborative System of Differentiated Monitoring: School Support System (SSS) incorporates a variety of instruments and procedures that are utilized to ensure performance and compliance with state and federal laws and regulations. The process is an ongoing and focused for LEAs and requires LEA self-assessment, data analysis, interviews, surveys and on-site visits. Combined with the Consolidated Resource Plan review and other SEA level reviews of data and district performance, the Differentiated Monitoring: School Support System provides an important accountability element which supports the continuous improvement philosophy of RIDE with each LEA. As a result, LEAs are in some level of monitoring continuously. On-site review occurs if performance and/or compliance data indicate a need for on-site review, RIDE will initiate such a review. Upon completion of an on-site review, RIDE will develop a corrective action/support plan that is directed at increasing student performance founded on proven practice. In addition, the support plan addressed findings of general supervision and appropriate corrective actions. The data sources utilized in the continuous review process are utilized for subsequent verification of compliance and improved LEA performance. Further information about Rhode Island's Collaborative System of Tiered Monitoring: School Support System is available at; [www.ride.ri.gov/InformationAccountability/Accountability/SchoolSupportSystem.aspx](http://www.ride.ri.gov/InformationAccountability/Accountability/SchoolSupportSystem.aspx). In addition, reports for recent on-site visits and support plans are available for public review.

Dispute Resolution Center. Office of Community Academic and Students Supports (OSCAS) utilizes a number of formal and informal dispute resolution options that emphasizes collaborative relationships between families and schools in the interest of productive, shared decision-making that ensures FAPE for every child with a disability. A preventative approach, the system promotes an understanding that relationships and trust are the core of partnership; that conflict is not a necessary result of differences; and that differences in perspective and opinion among parents and professionals, within and beyond the IEP process, are not only expected but valuable when productively managed. OSCAS is committed to accurately overseeing and reporting on the local resolution process. At the same time, to reduce the need to rely on due process to ensure FAPE, the OSCAS addresses dispute resolution within the context of continuous improvement. Rhode Island's model for continuous improvement and operation of an effective, high quality system of dispute resolution and due process in special education, the centerpiece of which is family-school partnership for FAPE.

OSCAS operates a Special Education Call Center which has handled as many as 200 calls in one month to assist parents and school districts in resolving their differences amicably. However, there are times when issues may not be resolved and OSCAS offers and supports parents and districts in accessing the full array of dispute resolution options. Data collected from the Call Center and through other dispute options informs the formal communication and technical assistance to LEAs for meeting the general supervision requirements. More information about the Rhode Island dispute resolution options may be found at: <http://www.ride.ri.gov/StudentsFamilies/SpecialEducation/WhenSchoolsandFamiliesDoNotAgree.aspx>

#### **Technical Assistance System**

**The mechanisms that the State has in place to ensure the timely delivery of high quality, evidenced based technical assistance and support to LEAs.**

The RI Department of Education, Office of Student, Community & Academic Supports (OSCAS) manages all technical assistance activities related to the implementation of IDEA Part B in Rhode Island. OSCAS defines technical assistance as the support necessary to effectively and efficiently implement the requirements of Part B. This support is provided to internal state departments, local education agencies, professional organizations, community-based organizations, The Parent Training and Information Center, other parent and disability organizations and individuals including professionals and parents.

Some of the technical assistance activities are provided directly by OSCAS staff in particular areas of need and/or through the development of contracts with vendors for the delivery of specific technical assistance activities. In addition, the OSCAS team works closely with parent, advocacy, disability specific and professional organizations to leverage the hard work of these organizations in developing unifying communication to reduce redundancies and improve consistency of understanding.

Examples of direct technical assistance include: Direct assistance with LEAs to meet the requirements under Part B which includes: Addressing performance issues in an LEAs SPP indicator. Addressing compliance and subsequent verification of compliance issues. Assistance in communicating with parents and minimizing the need for formal dispute resolution options. Meeting reporting requirements for data and fiscal reporting. Submitting applications for IDEA part B funds and ensuring the appropriate use of the funds in including early intervening services. Partnerships with parent and advocacy organizations: Cosponsoring events and providing assistance with specific request for clarification of regulations and effective strategies to support students with disabilities. Participating on work groups to develop initiatives and grant applications. OSCAS staff serve on over 40 advisory committees statewide. Organizational support and communication (correspondence, web site support, etc.) for: RI State Special 4 Part B Education Advisory Committee (state advisory panel) RI Vision Services Advisory Board Each member of the OSCAS IDEA team (currently eight full time employees) is assigned to a number of LEAs as the primary contact for technical assistance. Each team member has an area(s) to which they are assigned based on a specific function in Part B. In addition to the OSCAS staff engaged in technical assistance, OSCAS maintains a number of contracts which deliver technical assistance and training statewide.

RI is part of the Collaborative for Academic, Social and Emotional Learning (CASEL) Collaborating States Initiative. We have been receiving technical assistance from them throughout the year. This has involved attendance at national meetings, access to resources and consultants regarding Social and

Emotional Learning (SEL). Research shows that students with SEL instruction have less discipline problems including suspension. The State has hosted SEL Community of Practice meetings to share information and highlight effective practices taking place throughout the state and developed a statewide SEL Advisory Committee and a list serve for SEL to continue to share information and keep districts up to date on the latest SEL news and research.

RI received technical assistance from NCSI through the cross state learning collaborative monthly virtual meetings plus face to face Zoom meetings 2x a year. Participation in technical assistance with NCII and will continue to do so regarding data-based individualization and delivery of intensive instruction for children with persistent academic and behavioral needs. Participate in CEEDAR technical assistance with a focus on special education teacher prep programs. As a result, we're redesigning our approach to build coaching capacity in schools in districts, improving capacity to implement intensive math instruction for children with disabilities through targeted technical assistance to schools, and supporting higher education teacher preparation programs to revise syllabi in special education preparation programs. Additional technical assistance comes from the IDEA Data Center which helps districts identify the root cause of disproportionality.

Rhode Island's 619 Coordinator sits on the Executive Council of NASDSE's 619 Affinity Group. The Executive Council, through NASDSE, coordinates in an ongoing way with OSEP's Early Childhood technical assistance partners, including Early Childhood Technical Assistance Center (ECTA) and the Early Childhood Personnel Center (ECPC). RI has benefited from such collaboration, in the areas of data quality and infrastructure of the early childhood systems. We also participate in NASDSE's legal and regulatory group which plans to meet later in the 2019 year. This group encourages cross state dialogue on regulatory systems and best practice structures.

Further, the State receives technical assistance from the National Technical Assistance Center on Transition (NTACT) to support the improvement of secondary transition indicators. The State has participated in NTACT webinars, one to one consultation and attends the National Capacity Building Institute. The State has received direct technical assistance from NTACT and WINTAC on the implementation of evidenced based practices to increase post-school outcomes for youth on IEPs. RI continues to receive technical assistance on both the compliance and quality of secondary IEPs (Indicator 13) resulting in the continued implementation of an Indicator 13 rubric to measure IEP quality. The State utilized NTACT to provide professional development on parent engagement and increasing collaboration with families through the IEP process. Additionally, RI has continued to receive direct technical assistance from the Pacer Center to provide parent professional development, state partnership collaboration, and educator professional development. The state has received consultation from a number of national content experts to support Person Centered Planning, Progress Monitoring and Data Collection, Virtual Resources and Assistive Technology. Results of this technical assistance has provided educators with multiple strategies to improve parent engagement beginning in the middle school years; an increase in collaboration with the State Office of Vocational Rehabilitation and the Division of Developmental Disabilities resulting in an expansion of Pre-Ets services for youth in RI; improved strategies for educators to support students in person centered planning, Discovery and Customized Employment; and the development of resources and surveys to analyze access and equity for students with disabilities in Career & Technical Education.

RI received TA from ECTA during the FFY 2019 year with a focus on the COS process. Specifically, ECTA helped RI identify a vehicle to collect more comprehensive information on child functioning and determine a mechanism to ensure greater consistency when age-anchoring. This TA proved especially helpful during COVID-19 when the LEAs needed to rely more heavily on this functional information. Additionally, RIDE participated in and helped facilitate weekly ECTA/NASDSE collaborative discussions focused on various topics, as requested by states, during the early days of the pandemic. The content relative to Child Outcomes directly impacted the TA RIDE provided to LEAs, especially that around virtual assessments, timeline requirements, and collaborating with families.

RIDE participated in and helped facilitate weekly ECTA/NASDSE collaborative discussions focused on various topics, as requested by states, during the early days of the pandemic. The content relative to Part C to Part B transitions directly impacted the TA RIDE provided to LEAs, especially that around virtual assessments, timeline requirements, and collaborating with families.

### **Professional Development System**

**The mechanisms the State has in place to ensure that service providers have the skills to effectively provide services that improve results for students with disabilities.**

The Rhode Island Department of Education Strategic Plan calls for every student to have highly effective teacher in their classroom and every school to have highly effective leaders & support professionals. To this end, RIDE maintains a comprehensive professional development system for all educators. Information about current professional development may be viewed at the RIDE web site at:

<http://www.ride.ri.gov/TeachersAdministrators/ProfessionalDevelopment.aspx>.

Rhode Island has had a sufficient supply of qualified teachers for many years. There are currently no significant shortages in certified personnel in general education and special education. The areas where LEAs currently face the greatest strain in recruiting include math and science content teachers, EL teachers and occasionally teachers for low incidence disability populations. In 2005, RIDE launched an aggressive effort to recruit and certify an adequate number of teachers of the visually impaired and has since met all current personnel demands for the blind and low vision population. Obviously, the building of professional capacity does not end with teachers being appropriately certified. Ongoing professional development is a priority of the agency and of the OSCAS team. Recent offerings have focused on the development of Common Core State Standards (CCSS) with specific training in the understanding of CCSS, scaffolding of the standards, recent work with the National Center on Intensive Intervention (NCII), of which Rhode Island was one of five intensive technical assistance states and the integration of measurable CCSS goals into the IEP. The Data-based individualization (DBI) work with NCII is currently being woven into RI's online learning management system BRIDGE-RI in alignment to MTSS. In addition, RIDE, in partnership with TechACCESS of RI and the Sherlock Center at RI College, developed a new training for teachers and related service personnel to assess student's ability to access digital learning through feature matching. This training has become very popular as the state moves toward blended learning and the use of online state assessments (PARCC).

OSCAS also provided a number of direct training activities through the contracts described in the Technical Assistance section of the APR described in the previous section. Additional information on the RI educator certification requirements may be found on the RIDE web site at: <http://www.ride.ri.gov/TeachersAdministrators/EducatorCer?caon.aspx>.

### **Stakeholder Involvement**

**The mechanism for soliciting broad stakeholder input on targets in the SPP, including revisions to targets.**

Rhode Island Department of Education (RIDE) first compiled and analyzed data for the development of the State Performance Plan (SPP) and Annual Performance Report (APR) utilizing the expertise of internal personnel. A draft along with the data was reviewed with the Rhode Island Special Education Advisory Committee (RISEAC). RISEAC (a) advises the Commissioner and Board of Regents for Elementary and Secondary Education on matters concerning the unmet educational needs of children with disabilities; (b) comments publicly on any rules or regulations proposed by the State regarding the education of children with disabilities; (c) advises the Rhode Island Department of Education in developing evaluations and reporting on data to the Secretary under section 618 of the IDEA; (d) advises RIDE in developing corrective action plans to address findings identified in Federal Monitoring Reports under Part B of the IDEA; and (e) advises the RIDE in developing and implementing policies relating to the coordination of services for children with disabilities. Membership of the committee is composed of individuals involved in or concerned with the education of children with disabilities. Parents of children with disabilities birth through 26 maintain the majority of the Committee Membership. The Membership also includes

individuals with disabilities, teachers, representatives of institutions of higher education, private schools, charter schools, state and local education officials, administrators of programs for children with disabilities foster care and homelessness, vocational, community or business organizations, juvenile and adult corrections and State Child Serving Agencies. The RISEAC reviews the draft and provides suggestions and input. These are considered and, as appropriate, incorporated into the final copy of the SPP. Progress and slippage in meeting the targets in the SPP are discussed in detail regarding each indicator submitted to OSEP. All indicators are publicly available on the RIDE website at the following link: <https://www.ride.ri.gov/InformationAccountability/Accountability/StatePerformancePlan.aspx> Each year RIDE publicly reports per 34 CFR 300.602(b)(1)(i)(A). Per OSEP, this typically occurs the first week of June. The link for accessing Rhode Island's public reporting information, which details the performance of each LEA on the targets in the SPP is as: [http://www.eride.ri.gov/SPED\\_PublicReporting/](http://www.eride.ri.gov/SPED_PublicReporting/)

#### **Apply stakeholder involvement from introduction to all Part B results indicators (y/n)**

YES

#### **Reporting to the Public**

**How and where the State reported to the public on the FFY18 performance of each LEA located in the State on the targets in the SPP/APR as soon as practicable, but no later than 120 days following the State's submission of its FFY 2018 APR, as required by 34 CFR §300.602(b)(1)(i)(A); and a description of where, on its Web site, a complete copy of the State's SPP, including any revision if the State has revised the SPP that it submitted with its FFY 2018 APR in 2020, is available.**

Each year RIDE publicly reports per 34 CFR 300.602(b)(1)(i)(A). Per OSEP, this typically occurs the first week of June. The link for accessing Rhode Island's public reporting information, which details the performance of each LEA on the targets in the SPP is as follows. All indicators are a part of this reporting. <http://www.ride.ri.gov/InformationAccountability/Accountability/StatePerformancePlan.aspx> and [http://www.eride.ri.gov/SPED\\_PublicReporting/](http://www.eride.ri.gov/SPED_PublicReporting/)

#### **Intro - Prior FFY Required Actions**

In the FFY 2019 SPP/APR, the State must report FFY 2019 data for the State-identified Measurable Result (SiMR). Additionally, the State must, consistent with its evaluation plan described in Phase II, assess and report on its progress in implementing the SSIP. Specifically, the State must provide: (1) a narrative or graphic representation of the principal activities implemented in Phase III, Year Five; (2) measures and outcomes that were implemented and achieved since the State's last SSIP submission (i.e., April 1, 2020); (3) a summary of the SSIP's coherent improvement strategies, including infrastructure improvement strategies and evidence-based practices that were implemented and progress toward short-term and long-term outcomes that are intended to impact the SiMR; and (4) any supporting data that demonstrates that implementation of these activities is impacting the State's capacity to improve its SiMR data.

OSEP notes that one or more of the attachments included in the State's FFY 2018 SPP/APR submission are not in compliance with Section 508 of the Rehabilitation Act of 1973, as amended (Section 508), and will not be posted on the U.S. Department of Education's IDEA website. Therefore, the State must make the attachment(s) available to the public as soon as practicable, but no later than 120 days after the date of the determination letter.

The State's IDEA Part B determination for both 2019 and 2020 is Needs Assistance. In the State's 2020 determination letter, the Department advised the State of available sources of technical assistance, including OSEP-funded technical assistance centers, and required the State to work with appropriate entities. The Department directed the State to determine the results elements and/or compliance indicators, and improvement strategies, on which it will focus its use of available technical assistance, in order to improve its performance. The State must report, with its FFY 2019 SPP/APR submission, due February 1, 2021, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance.

#### **Response to actions required in FFY 2018 SPP/APR**

Indicator 9: The State verified that the 1 district with noncompliance is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through the State data system. The district had no individual cases of noncompliance to correct.

Indicator 13: One record of noncompliance has been brought into compliance as of February 2020. This record/finding was corrected and verified as compliant by RIDE. The affected district was required to submit an updated and compliant IEP for the initially non-compliant IEP. Based on subsequent collection and review for the FFY 2018 every district is correctly implementing the regulatory requirements of 34 CFR 300.320 (b) and achieving 100% compliance.

All attachments are in compliance with Section 508 of the Rehabilitation act of 1973.

Technical Assistance is detailed in the Technical Assistance section and here. RI is part of the Collaborative for Academic, Social and Emotional Learning (CASEL) Collaborating States Initiative. We have been receiving technical assistance from them throughout the year. This has involved attendance at national meetings, access to resources and consultants regarding Social and Emotional Learning (SEL). Research shows that students with SEL instruction have less discipline problems including suspension. The State has hosted SEL Community of Practice meetings to share information and highlight effective practices taking place throughout the state and developed a statewide SEL Advisory Committee and a list serve for SEL to continue to share information and keep districts up to date on the latest SEL news and research.

RI received technical assistance from NCSI through the cross state learning collaborative monthly virtual meetings plus face to face Zoom meetings 2x a year. Participation in technical assistance with NCII and will continue to do so regarding data-based individualization and delivery of intensive instruction for children with persistent academic and behavioral needs. Participate in CEEDAR technical assistance with a focus on special education teacher prep programs. As a result, we're redesigning our approach to build coaching capacity in schools, improving capacity to implement intensive math instruction for children with disabilities through targeted technical assistance to schools, and supporting higher education teacher preparation programs to revise syllabi in special education preparation programs. Additional technical assistance comes from the IDEA Data Center which helps districts identify the root cause of disproportionality.

Rhode Island's 619 Coordinator sits on the Executive Council of NASDSE's 619 Affinity Group. The Executive Council, through NASDSE, coordinates in an ongoing way with OSEP's Early Childhood technical assistance partners, including Early Childhood Technical Assistance Center (ECTA) and the Early Childhood Personnel Center (ECPC). RI has benefited from such collaboration, in the areas of data quality and infrastructure of the early childhood systems. We also participate in NASDE's legal and regulatory group which plans to meet later in the 2019 year. This group encourages cross state dialogue on regulatory systems and best practice structures.

Further, the State receives technical assistance from the National Technical Assistance Center on Transition (NTACT) to support the improvement of

secondary transition indicators. The State has participated in NTACT webinars, one to one consultation and attends the National Capacity Building Institute. The State has received direct technical assistance from NTACT and WINTAC on the implementation of evidenced based practices to increase post-school outcomes for youth on IEPs. RI continues to receive technical assistance on both the compliance and quality of secondary IEPs (Indicator 13) resulting in the continued implementation of an Indicator 13 rubric to measure IEP quality. The State utilized NTACT to provide professional development on parent engagement and increasing collaboration with families through the IEP process. Additionally, RI has continued to receive direct technical assistance from the Pacer Center to provide parent professional development, state partnership collaboration, and educator professional development. The state has received consultation from a number of national content experts to support Person Centered Planning, Progress Monitoring and Data Collection, Virtual Resources and Assistive Technology. Results of this technical assistance has provided educators with multiple strategies to improve parent engagement beginning in the middle school years; an increase in collaboration with the State Office of Vocational Rehabilitation and the Division of Developmental Disabilities resulting in an expansion of Pre-Ets services for youth in RI; improved strategies for educators to support students in person centered planning, Discovery and Customized Employment; and the development of resources and surveys to analyze access and equity for students with disabilities in Career & Technical Education.

RI received technical assistance from ECTA during the FFY 2019 year with a focus on the COS process. Specifically, ECTA helped RI identify a vehicle to collect more comprehensive information on child functioning and determine a mechanism to ensure greater consistency when age-anchoring. This TA proved especially helpful during COVID-19 when the LEAs needed to rely more heavily on this functional information. Additionally, RIDE participated in and helped facilitate weekly ECTA/NASDSE collaborative discussions focused on various topics, as requested by states, during the early days of the pandemic. The content relative to Child Outcomes directly impacted the TA RIDE provided to LEAs, especially that around virtual assessments, timeline requirements, and collaborating with families.

RIDE participated in and helped facilitate weekly ECTA/NASDSE collaborative discussions focused on various topics, as requested by states, during the early days of the pandemic. The content relative to Part C to Part B transitions directly impacted the TA RIDE provided to LEAs, especially that around virtual assessments, timeline requirements, and collaborating with families.

## **Intro - OSEP Response**

The State's determinations for both 2019 and 2020 were Needs Assistance. Pursuant to section 616(e)(1) of the IDEA and 34 C.F.R. § 300.604(a), OSEP's June 25, 2020 determination letter informed the State that it must report with its FFY 2019 SPP/APR submission, due February 1, 2021, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance. The State provided the required information.

Due to the circumstances created by the COVID-19 pandemic, and resulting school closures, the State does not have any FFY 2019 data for indicator 17.

## **Intro - Required Actions**

The State's IDEA Part B determination for both 2020 and 2021 is Needs Assistance. In the State's 2021 determination letter, the Department advised the State of available sources of technical assistance, including OSEP-funded technical assistance centers, and required the State to work with appropriate entities. The Department directed the State to determine the results elements and/or compliance indicators, and improvement strategies, on which it will focus its use of available technical assistance, in order to improve its performance. The State must report, with its FFY 2020 SPP/APR submission, due February 1, 2022, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance.

## Indicator 1: Graduation

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of youth with Individualized Education Programs (IEPs) graduating from high school with a regular high school diploma. (20 U.S.C. 1416 (a)(3)(A))

#### Data Source

Same data as used for reporting to the Department of Education (Department) under Title I of the Elementary and Secondary Education Act (ESEA).

#### Measurement

States may report data for children with disabilities using either the four-year adjusted cohort graduation rate required under the ESEA or an extended-year adjusted cohort graduation rate under the ESEA, if the State has established one.

#### Instructions

Sampling is not allowed.

Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019), and compare the results to the target. Provide the actual numbers used in the calculation.

Provide a narrative that describes the conditions youth must meet in order to graduate with a regular high school diploma and, if different, the conditions that youth with IEPs must meet in order to graduate with a regular high school diploma. If there is a difference, explain.

Targets should be the same as the annual graduation rate targets for children with disabilities under Title I of the ESEA.

States must continue to report the four-year adjusted cohort graduation rate for all students and disaggregated by student subgroups including the children with disabilities subgroup, as required under section 1111(h)(1)(C)(iii)(II) of the ESEA, on State report cards under Title I of the ESEA even if they only report an extended-year adjusted cohort graduation rate for the purpose of SPP/APR reporting.

## 1 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2009	58.70%

FFY	2014	2015	2016	2017	2018
Target >=	62.90%	63.90%	64.90%	65.90%	66.90%
Data	59.98%	67.57%	59.38%	62.98%	62.38%

### Targets

FFY	2019
Target >=	67.90%

### Targets: Description of Stakeholder Input

Rhode Island Department of Education (RIDE) first compiled and analyzed data for the development of the State Performance Plan (SPP) and Annual Performance Report (APR) utilizing the expertise of internal personnel. A draft along with the data was reviewed with the Rhode Island Special Education Advisory Committee (RISEAC). RISEAC (a) advises the Commissioner and Board of Regents for Elementary and Secondary Education on matters concerning the unmet educational needs of children with disabilities; (b) comments publicly on any rules or regulations proposed by the State regarding the education of children with disabilities; (c) advises the Rhode Island Department of Education in developing evaluations and reporting on data to the Secretary under section 618 of the IDEA; (d) advises RIDE in developing corrective action plans to address findings identified in Federal Monitoring Reports under Part B of the IDEA; and (e) advises the RIDE in developing and implementing policies relating to the coordination of services for children with disabilities. Membership of the committee is composed of individuals involved in or concerned with the education of children with disabilities. Parents of children with disabilities birth through 26 maintain the majority of the Committee Membership. The Membership also includes individuals with disabilities, teachers, representatives of institutions of higher education, private schools, charter schools, state and local education officials, administrators of programs for children with disabilities foster care and homelessness, vocational, community or business organizations, juvenile and adult corrections and State Child Serving Agencies. The RISEAC reviews the draft and provides suggestions and input. These are considered and, as appropriate, incorporated into the final copy of the SPP. Progress and slippage in meeting the targets in the SPP are discussed in detail regarding each indicator submitted to OSEP. All indicators are publicly available on the RIDE website at the following link: <https://www.ride.ri.gov/InformationAccountability/Accountability/StatePerformancePlan.aspx> Each year RIDE publicly reports per 34 CFR 300.602(b)(1)(i)(A). Per OSEP, this typically occurs the first week of June. The link for accessing Rhode Island's public reporting information, which details the performance of each LEA on the targets in the SPP is as: [http://www.eride.ri.gov/SPED\\_PublicReporting/](http://www.eride.ri.gov/SPED_PublicReporting/)

In addition to stakeholder input from the Rhode Island Special Education Advisory Committee on this indicator, there is stakeholder input from the State Transition Council. The State Transition Council which is an interagency council inclusive of State Agency Representatives, Parent & Advocacy organizations, Special Education Administrators & Transition Specialists and educators to support and advise the collaborative work in secondary transition to improve students post school outcomes. Stakeholder input is also collected from the Regional Transition Centers through the Regional Transition Advisory Committee's (TACs). The TACs consist of middle & high school educators, transition counselors, representatives from the Office of Rehabilitation Services and the State office of Division of Developmental Disabilities. Stakeholder input from these individuals has been critical as they are often the front line staff who work directly with students.

### Prepopulated Data

Source	Date	Description	Data
SY 2018-19 Cohorts for Regulatory Adjusted-Cohort Graduation Rate (EDFacts file spec FS151; Data group 696)	07/27/2020	Number of youth with IEPs graduating with a regular diploma	1,162
SY 2018-19 Cohorts for Regulatory Adjusted-Cohort Graduation Rate (EDFacts file spec FS151; Data group 696)	07/27/2020	Number of youth with IEPs eligible to graduate	1,804
SY 2018-19 Regulatory Adjusted Cohort Graduation Rate (EDFacts file spec FS150; Data group 695)	07/27/2020	Regulatory four-year adjusted-cohort graduation rate table	64.41%

#### FFY 2019 SPP/APR Data

Number of youth with IEPs in the current year's adjusted cohort graduating with a regular diploma	Number of youth with IEPs in the current year's adjusted cohort eligible to graduate	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
1,162	1,804	62.38%	67.90%	64.41%	Did Not Meet Target	No Slippage

#### Graduation Conditions

Choose the length of Adjusted Cohort Graduation Rate your state is using:

4-year ACGR

**Provide a narrative that describes the conditions youth must meet in order to graduate with a regular high school diploma and, if different, the conditions that youth with IEPs must meet in order to graduate with a regular high school diploma. If there is a difference, explain.**

The Rhode Island Diploma System: Preparing all students for success in college, careers, and life Rhode Island has implemented a statewide diploma system to ensure access for all middle and high school students to rigorous, high quality, personalized learning opportunities and pathways. The awarding of a high school diploma in Rhode Island is a Local Education Agency (LEA) decision based on the authority granted by the Rhode Island Board of Regents for Elementary and Secondary Education. Special education students meet the same proficiency requirements under the Rhode Island Diploma System as all students. Rhode Island does not offer a differentiated diploma system. The Diploma System: \*Supports multiple viable pathways toward a high school diploma including career and technical education and blended or online learning. \*Provides each student with individual learning plans and a personalized learning environment to help them succeed. \*Provides multiple opportunities and measures for students to demonstrate proficiency and graduation readiness. \*Promotes an aligned system of state and local policies. Regulations and Guidance : The Council on Elementary and Secondary Education 2016 Secondary Regulations set the framework for implementing the RI Diploma System. These regulations require all school districts to develop and implement a comprehensive secondary diploma system for middle and high schools that includes: student and teacher supports, local aligned policies, multiple learning opportunities for all students, and multiple measures for determining graduation readiness. These regulations reflect key design elements and principles that have been identified since the 2003 secondary school regulations including: proficiency-based graduation requirements; comprehensive supports to students including literacy, numeracy, and personalization; common planning time and professional development support for teachers. Two key concepts permeate the Regulations: proficiency and personalization. These concepts reflect the beliefs that: 1) All students must attain an acceptable level of academic achievement in each of the six core academic areas, integrated with applied learning skills in order to be successful in college and careers; and (2) Effective instructional delivery demands an understanding of the needs of each individual student and supports that will help students attain at least the minimum level of proficiency. \*The Council on Elementary and Secondary Education Secondary School Regulations - February 2015 (Regulations in effect through the graduating class of 2020.) \*The Council on Elementary and Secondary Education Secondary School Regulations - October 2016 (Regulations go into effect July 1, 2017 for the graduating class of 2021.) Graduation requirements are set at a level to provide students the skills and knowledge to successfully enter and complete a rigorous post-secondary academic or technical program, join the military, and/or obtain a job that leads to a rewarding and viable career. The Rhode Island Council on Elementary and Secondary Education, through the Secondary School Regulations set the minimum requirements for earning a RI high school diploma, including: \*Rhode Island's Board of Education adopted the state's most innovative and collaborative strategic plan yet, 2020 Vision for Education: RI's Strategic Plan for PK-12 & Adult Education, 2015-2020. In the spirit of adopting the values and tenets of this strategic plan, RIDE has aligned our Secondary School Regulations and high school graduation requirements to be even more supportive of RI's vision for successful graduates of our schools. Secondary School Regulations Revision Process: \*Demonstrated proficiency in 6 core areas (English Language Arts, math, science, social studies, the Arts and technology) \*Successful completion of 20 courses (at a minimum) \*Completion of 2 performance assessments (exhibitions, portfolios and/or comprehensive course assessments)\*Districts are required to communicate specific graduation expectations to families and students by October 1 of the ninth grade, or upon entrance or transfer to the school district. \*The Secondary School Regulations strive to increase and improve equitable learning opportunities for every student through personalization, graduation by proficiency, and multiple pathways. All learning experiences should be facilitated in a way that allows students to find relevance and applicability to their own life, interests, and / or previous knowledge. Students should have opportunities for choice in how, when, and in what ways they learn and demonstrate their learning. Learning opportunities should be diverse, rigorous, and connected to the world outside the school. By ensuring that learning is relevant, students are more likely to find joy in the learning process and want to continue to learn throughout their lives. Further, by learning how to make well-informed decisions in the secondary grades, students will be more adept at advocating for themselves as adult learners and citizens. As part of the revised diploma system outlined in the Secondary School Regulations, the Council Designations serve as a means to personalize the diploma. Each Council Designation externally validates achievements of high school students, through flexible and personalized high school learning experiences, to allow public recognition of specific skills and to incentivize students to meet additional high standards beyond those needed to earn a high school diploma. The following three Council Designations have been adopted by the Council on Elementary and Secondary Education and will be made available to students who meet the defined criteria for each, beginning with the graduating class of 2021: The Commissioner's Seal Council Designation certifies that a student is proficient in standards aligned to high school expectations in English Language Arts and Mathematics, as confirmed by external evidence. The Seal of Biliteracy Council Designation certifies that a student has demonstrated skill in the use of the English language and one or more other world languages. The Pathway Endorsement Council Designation certifies that a student has accomplished deep learning in a chosen area of interest and is prepared for employment or further



education in a career path. \*These minimum requirements are in effect through the graduating class of 2020. \*Districts may include additional expectations or requirements such as additional coursework requirements or community service learning.

**Are the conditions that youth with IEPs must meet to graduate with a regular high school diploma different from the conditions noted above? (yes/no)**

NO

**Provide additional information about this indicator (optional)**

Baseline for the percent of students in special education graduating with a regular high school diploma as established in 2007 APR at 55.99%. The target graduation rate for the 2018-2019 school year is 67.9%. Using the four year cohort, the target was not met, however, no slippage is reported from the previous year and an increase of 2% occurred. The graduation rate this year is 8.42% above RI's baseline. The Rhode Island High School regulations speak to the need for schools to create alternative pathways for students to meet proficiency in the RI Diploma system even if the student's pathway will require the student to remain enrolled beyond four years of high school. In special education, this continues to result in a variety of transition programs at the regional and local levels focused on youth who may require more than four years to achieve proficiency and graduate to self-sufficiency. It is also important to note that IDEA eligibility in RI was extended until age 22 based on a recent First Circuit court decision which held that special education services under the IDEA must be provided until a student's 22nd birthday.

**1 - Prior FFY Required Actions**

None

**1 - OSEP Response**

**1 - Required Actions**

## Indicator 2: Drop Out

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of youth with IEPs dropping out of high school. (20 U.S.C. 1416 (a)(3)(A))

#### Data Source

##### OPTION 1:

Same data as used for reporting to the Department under section 618 of the Individuals with Disabilities Education Act (IDEA), using the definitions in EDFacts file specification FS009.

##### OPTION 2:

Use same data source and measurement that the State used to report in its FFY 2010 SPP/APR that was submitted on February 1, 2012.

#### Measurement

##### OPTION 1:

States must report a percentage using the number of youth with IEPs (ages 14-21) who exited special education due to dropping out in the numerator and the number of all youth with IEPs who left high school (ages 14-21) in the denominator.

##### OPTION 2:

Use same data source and measurement that the State used to report in its FFY 2010 SPP/APR that was submitted on February 1, 2012.

#### Instructions

Sampling is not allowed.

##### OPTION 1:

Use 618 exiting data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019). Include in the denominator the following exiting categories: (a) graduated with a regular high school diploma; (b) received a certificate; (c) reached maximum age; (d) dropped out; or (e) died.

Do not include in the denominator the number of youths with IEPs who exited special education due to: (a) transferring to regular education; or (b) who moved, but are known to be continuing in an educational program.

##### OPTION 2:

Use the annual event school dropout rate for students leaving a school in a single year determined in accordance with the National Center for Education Statistic's Common Core of Data.

If the State has made or proposes to make changes to the data source or measurement under Option 2, when compared to the information reported in its FFY 2010 SPP/APR submitted on February 1, 2012, the State should include a justification as to why such changes are warranted.

Options 1 and 2:

Data for this indicator are "lag" data. Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019), and compare the results to the target.

Provide a narrative that describes what counts as dropping out for all youth and, if different, what counts as dropping out for youth with IEPs. If there is a difference, explain.

## 2 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2005	27.11%

FFY	2014	2015	2016	2017	2018
Target <=	21.70%	20.70%	19.70%	18.70%	17.70%
Data	15.74%	12.03%	7.33%	8.19%	6.48%

### Targets

FFY	2019
Target <=	16.70%

### Targets: Description of Stakeholder Input

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considered and, as appropriate, incorporated into the final copy of the SPP. Progress and slippage in meeting the targets in the SPP are discussed in detail regarding each indicator submitted to OSEP. All indicators are publicly available on the RIDE website at the following link: <https://www.ride.ri.gov/InformationAccountability/Accountability/StatePerformancePlan.aspx> Each year RIDE publicly reports per 34 CFR 300.602(b)(1)(i)(A). Per OSEP, this typically occurs the first week of June. The link for accessing Rhode Island's public reporting information, which details the performance of each LEA on the targets in the SPP is as: [http://www.eride.ri.gov/SPED\\_PublicReporting/](http://www.eride.ri.gov/SPED_PublicReporting/)

In addition to stakeholder input from the Rhode Island Special Education Advisory Committee on this indicator, there is stakeholder input from the State Transition Council. The State Transition Council which is an interagency council inclusive of State Agency Representatives, Parent & Advocacy organizations, Special Education Administrators & Transition Specialists and educators to support and advise the collaborative work in secondary transition to improve students post school outcomes. Stakeholder input is also collected from the Regional Transition Centers through the Regional Transition Advisory Committee's (TACs). The TACs consist of middle & high school educators, transition counselors, representatives from the Office of Rehabilitation Services and the State office of Division of Developmental Disabilities. Stakeholder input from these individuals has been critical as they are often the front line staff who work directly with students.

**Please indicate the reporting option used on this indicator**

Option 1

**Prepopulated Data**

Source	Date	Description	Data
SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/27/2020	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a)	1,017
SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/27/2020	Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (b)	90
SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/27/2020	Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (c)	94
SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/27/2020	Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (d)	77
SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/27/2020	Number of youth with IEPs (ages 14-21) who exited special education as a result of death (e)	4

**FFY 2019 SPP/APR Data**

Number of youth with IEPs who exited special education due to dropping out	Total number of High School Students with IEPs by Cohort	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
77	1,282	6.48%	16.70%	6.01%	Met Target	No Slippage

**Provide reasons for slippage, if applicable**

**Provide a narrative that describes what counts as dropping out for all youth**

For purposes of this collection, a dropout is defined as a student who:

- \*Student was enrolled in school at some time during the school year and was not enrolled on October 1 of the following school year, or
- \*Student was not enrolled on October 1 of the school year although was expected to be in membership (i.e., was not reported as a dropout the year before), and
- \*Student has not graduated from high school or completed a state or district-approved educational program, a
- \*Student did not meet any of the following exclusionary conditions: \*
- \*Transfer to another public school district, private school, or state- or district-approved educational program;
- \*Temporary school-recognized absence due to suspension or illness; or death.
- \*Left school without diploma or other certification after passing age up to which the district was required to provide a free, public education.
- \*Is gone; status is unknown.
- \*Moved to another district in this or some other state, not known to be in school.
- \*Is in an institution that is NOT primarily academic (military, possibly Job Corps, corrections, etc.) and does not offer a secondary education program.
- \*Is NOT in school but known to be ill, NOT verified as legitimate.
- \*Is NOT in school but known to be suspended or expelled and their term of suspension or expulsion is over.
- \*Is NOT in school but known to be expelled with NO option to return.
- \*Is in a nontraditional education setting, such as hospital/homebound instruction, residential special education, correctional institution, community or technical college where the program is classified as adult education that is not approved, administered or tracked by a regular school district

**Is there a difference in what counts as dropping out for youth with IEPs? (yes/no)**

NO

**If yes, explain the difference in what counts as dropping out for youth with IEPs below.**

**Provide additional information about this indicator (optional)**

The target dropout rate for the 2018-2019 school year is 16.7%. For FFY 2019, Rhode Island's dropout rate is 6.01% exceeding the target by 11%.

## **2 - Prior FFY Required Actions**

None

## **2 - OSEP Response**

## **2 - Required Actions**

## Indicator 3B: Participation for Students with IEPs

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Participation and performance of children with IEPs on statewide assessments:

- A. Indicator 3A – Reserved
- B. Participation rate for children with IEPs
- C. Proficiency rate for children with IEPs against grade level and alternate academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

#### Data Source

3B. Same data as used for reporting to the Department under Title I of the ESEA, using EDFacts file specifications FS185 and 188.

#### Measurement

B. Participation rate percent = [(# of children with IEPs participating in an assessment) divided by the (total # of children with IEPs enrolled during the testing window)]. Calculate separately for reading and math. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

#### Instructions

Describe the results of the calculations and compare the results to the targets. Provide the actual numbers used in the calculation.

Include information regarding where to find public reports of assessment participation and performance results, as required by 34 CFR §300.160(f), i.e., a link to the Web site where these data are reported.

Indicator 3B: Provide separate reading/language arts and mathematics participation rates, inclusive of all ESEA grades assessed (3-8 and high school), for children with IEPs. Account for ALL children with IEPs, in all grades assessed, including children not participating in assessments and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time of testing.

### 3B - Indicator Data

#### Reporting Group Selection

Based on previously reported data, these are the grade groups defined for this indicator.

Group	Group Name	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 9	Grade 10	Grade 11	Grade 12	HS
A	Grade 3	X										
B	Grade 4		X									
C	Grade 5			X								
D	Grade 6				X							
E	Grade 7					X						
F	Grade 8						X					
G	Grade 11									X		

#### Historical Data: Reading

Group	Group Name	Baseline	FFY	2014	2015	2016	2017	2018
A	Grade 3	2005	Target >=	100.00%	100.00%	100.00%	100.00%	100.00%
A	Grade 3		Actual	90.38%	95.59%	96.13%	94.51%	98.33%
B	Grade 4	2005	Target >=	100.00%	100.00%	100.00%	100.00%	100.00%
B	Grade 4		Actual	90.02%	94.83%	96.84%	96.13%	98.38%
C	Grade 5	2005	Target >=	100.00%	100.00%	100.00%	100.00%	100.00%
C	Grade 5		Actual	91.03%	95.41%	95.24%	96.86%	98.85%
D	Grade 6	2005	Target >=	100.00%	100.00%	100.00%	100.00%	100.00%
D	Grade 6		Actual	86.62%	94.62%	96.28%	96.77%	97.63%
E	Grade 7	2005	Target >=	100.00%	100.00%	100.00%	100.00%	100.00%
E	Grade 7		Actual	86.43%	94.33%	94.72%	96.22%	96.00%
F	Grade 8	2005	Target >=	100.00%	100.00%	100.00%	100.00%	100.00%
F	Grade 8		Actual	83.23%	91.64%	94.20%	94.87%	94.69%

<b>G</b>	Grade 11	2005	Target >=	100.00%	100.00%	100.00%	100.00%	100.00%
<b>G</b>	Grade 11		Actual	70.45%	85.48%	88.06%	88.10%	89.13%

#### Historical Data: Math

Group	Group Name	Baseline	FFY	2014	2015	2016	2017	2018
<b>A</b>	Grade 3	2005	Target >=	100.00%	100.00%	100.00%	100.00%	100.00%
<b>A</b>	Grade 3		Actual	90.57%	95.42%	96.26%	95.17%	98.71%
<b>B</b>	Grade 4	2005	Target >=	100.00%	100.00%	100.00%	100.00%	100.00%
<b>B</b>	Grade 4		Actual	90.55%	94.65%	96.72%	96.62%	98.08%
<b>C</b>	Grade 5	2005	Target >=	100.00%	100.00%	100.00%	100.00%	100.00%
<b>C</b>	Grade 5		Actual	91.59%	95.13%	95.49%	97.65%	98.55%
<b>D</b>	Grade 6	2005	Target >=	100.00%	100.00%	100.00%	100.00%	100.00%
<b>D</b>	Grade 6		Actual	86.53%	94.57%	96.22%	97.01%	97.63%
<b>E</b>	Grade 7	2005	Target >=	100.00%	100.00%	100.00%	100.00%	100.00%
<b>E</b>	Grade 7		Actual	86.69%	93.91%	94.67%	96.68%	95.73%
<b>F</b>	Grade 8	2005	Target ≥	100.00%	100.00%	100.00%	100.00%	100.00%
<b>F</b>	Grade 8		Actual	82.85%	91.10%	93.20%	94.89%	95.39%
<b>G</b>	Grade 11	2005	Target >=	100.00%	100.00%	100.00%	100.00%	100.00%
<b>G</b>	Grade 11		Actual	72.04%	89.15%	96.47%	87.02%	88.26%

#### Targets

Subject	Group	Group Name	2019
Reading	A >=	Grade 3	100.00%
Reading	B >=	Grade 4	100.00%
Reading	C >=	Grade 5	100.00%
Reading	D >=	Grade 6	100.00%
Reading	E >=	Grade 7	100.00%
Reading	F >=	Grade 8	100.00%
Reading	G >=	Grade 11	100.00%
Math	A >=	Grade 3	100.00%
Math	B >=	Grade 4	100.00%
Math	C >=	Grade 5	100.00%
Math	D >=	Grade 6	100.00%
Math	E >=	Grade 7	100.00%
Math	F >=	Grade 8	100.00%
Math	G >=	Grade 11	100.00%

#### Targets: Description of Stakeholder Input

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#### FFY 2019 Data Disaggregation from EDFacts

Include the disaggregated data in your final SPP/APR. (yes/no)

NO

Data Source:

SY 2019-20 Assessment Data Groups - Reading (EDFacts file spec FS188; Data Group: 589)

Date:

#### Reading Assessment Participation Data by Grade

Grade	3	4	5	6	7	8	9	10	11	12	HS
a. Children with IEPs											
b. IEPs in regular assessment with no accommodations											
c. IEPs in regular assessment with accommodations											
f. IEPs in alternate assessment against alternate standards											

Data Source:

SY 2019-20 Assessment Data Groups - Math (EDFacts file spec FS185; Data Group: 588)

Date:

#### Math Assessment Participation Data by Grade

Grade	3	4	5	6	7	8	9	10	11	12	HS
a. Children with IEPs											
b. IEPs in regular assessment with no accommodations											
c. IEPs in regular assessment with accommodations											
f. IEPs in alternate assessment against alternate standards											

#### FFY 2019 SPP/APR Data: Reading Assessment

Group	Group Name	Number of Children with IEPs	Number of Children with IEPs Participating	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A	Grade 3			98.33%	100.00%		N/A	N/A
B	Grade 4			98.38%	100.00%		N/A	N/A
C	Grade 5			98.85%	100.00%		N/A	N/A
D	Grade 6			97.63%	100.00%		N/A	N/A
E	Grade 7			96.00%	100.00%		N/A	N/A

Group	Group Name	Number of Children with IEPs	Number of Children with IEPs Participating	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
F	Grade 8			94.69%	100.00%		N/A	N/A
G	Grade 11			89.13%	100.00%		N/A	N/A

#### FFY 2019 SPP/APR Data: Math Assessment

Group	Group Name	Number of Children with IEPs	Number of Children with IEPs Participating	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A	Grade 3			98.71%	100.00%		N/A	N/A
B	Grade 4			98.08%	100.00%		N/A	N/A
C	Grade 5			98.55%	100.00%		N/A	N/A
D	Grade 6			97.63%	100.00%		N/A	N/A
E	Grade 7			95.73%	100.00%		N/A	N/A
F	Grade 8			95.39%	100.00%		N/A	N/A
G	Grade 11			88.26%	100.00%		N/A	N/A

#### Regulatory Information

The SEA, (or, in the case of a district-wide assessment, LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children: (1) the number of children with disabilities participating in: (a) regular assessments, and the number of those children who were provided accommodations in order to participate in those assessments; and (b) alternate assessments aligned with alternate achievement standards; and (2) the performance of children with disabilities on regular assessments and on alternate assessments, compared with the achievement of all children, including children with disabilities, on those assessments. [20 U.S.C. 1412 (a)(16)(D); 34 CFR §300.160(f)]

#### Public Reporting Information

**Provide links to the page(s) where you provide public reports of assessment results.**

The state has reported the number of children with disabilities who have participated in the regular assessment with accommodations here <https://www3.ride.ri.gov/ADP>. To access this data, under subject choose RICAS (there are two options for math and ELA). Then choose the correct year. Then under compare results, choose accommodations. This will compare those who took the regular test with accommodations and those who took the regular test without accommodations.

**Provide additional information about this indicator (optional)**

COVID has impacted the collection of this data set. The data is not complete because students were unable to proceed with taking a valid and reliable test during distance learning. The state has attempted to mitigate the the impact of COVID on this data collection by exploring ways the testing could be done in the future.

### 3B - Prior FFY Required Actions

Within 90 days of the receipt of the State's 2020 determination letter, the State must provide to OSEP a Web link that demonstrates that it has reported, for FFY 2017, to the public, on the statewide assessments of children with disabilities in accordance with 34 C.F.R. § 300.160(f). In addition, OSEP reminds the State that in the FFY 2019 SPP/APR, the State must include a Web link that demonstrates compliance with 34 C.F.R. § 300.160(f) for FFY 2019.

Within 90 days of the receipt of the State's 2020 determination letter, the State must provide to OSEP a Web link that demonstrates that it has reported, for FFY 2018, to the public, on the statewide assessments of children with disabilities in accordance with 34 C.F.R. § 300.160(f). In addition, OSEP reminds the State that in the FFY 2019 SPP/APR, the State must include a Web link that demonstrates compliance with 34 C.F.R. § 300.160(f) for FFY 2019.

**Response to actions required in FFY 2018 SPP/APR**

### 3B - OSEP Response

The State was not required to provide any data for this indicator. Due to the circumstances created by the COVID-19 pandemic, and resulting school closures, the State received a waiver of the assessment requirements in section 1111(b)(2) of the ESEA, and, as a result, does not have any FFY 2019 data for this indicator.

OSEP's response to the State's FFY 2018 SPP/APR required the State to provide OSEP with a Web link that demonstrates that it has reported, for FFY 2018, to the public, on the statewide assessments of children with disabilities in accordance with 34 C.F.R. § 300.160(f). The State provided the required information.



**3B - Required Actions**

## Indicator 3C: Proficiency for Students with IEPs

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Participation and performance of children with IEPs on statewide assessments:

- A. Indicator 3A – Reserved
- B. Participation rate for children with IEPs
- C. Proficiency rate for children with IEPs against grade level and alternate academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

#### Data Source

3C. Same data as used for reporting to the Department under Title I of the ESEA, using EDFacts file specifications FS175 and 178.

#### Measurement

C. Proficiency rate percent = [(# of children with IEPs scoring at or above proficient against grade level and alternate academic achievement standards) divided by the (total # of children with IEPs who received a valid score and for whom a proficiency level was assigned)]. Calculate separately for reading and math. The proficiency rate includes both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

#### Instructions

Describe the results of the calculations and compare the results to the targets. Provide the actual numbers used in the calculation.

Include information regarding where to find public reports of assessment participation and performance results, as required by 34 CFR §300.160(f), i.e., a link to the Web site where these data are reported.

Indicator 3C: Proficiency calculations in this SPP/APR must result in proficiency rates for reading/language arts and mathematics assessments (combining regular and alternate) for children with IEPs, in all grades assessed (3-8 and high school), including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time of testing.

### 3C - Indicator Data

#### Reporting Group Selection

Based on previously reported data, these are the grade groups defined for this indicator.

Group	Group Name	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 9	Grade 10	Grade 11	Grade 12	HS
A	Grade 3	X										
B	Grade 4		X									
C	Grade 5			X								
D	Grade 6				X							
E	Grade 7					X						
F	Grade 8						X					
G	Grade 11									X		

#### Historical Data: Reading

Group	Group Name	Baseline	FFY	2014	2015	2016	2017	2018
A	Grade 3	2015	Target >=	10.00%	10.50%	14.00%	15.00%	16.00%
A	Grade 3	11.83%	Actual	12.83%	11.83%	14.11%	10.24%	14.26%
B	Grade 4	2015	Target >=	5.00%	5.50%	6.00%	7.00%	9.00%
B	Grade 4	8.09%	Actual	8.19%	8.09%	7.65%	6.80%	6.23%
C	Grade 5	2015	Target >=	4.50%	5.00%	6.00%	8.00%	9.00%
C	Grade 5	8.51%	Actual	7.15%	8.51%	8.47%	4.75%	7.52%
D	Grade 6	2015	Target >=	3.00%	3.50%	4.00%	5.00%	8.00%
D	Grade 6	6.95%	Actual	5.95%	6.95%	7.02%	4.29%	4.97%
E	Grade 7	2015	Target >=	6.00%	6.50%	7.00%	7.50%	9.00%
E	Grade 7	8.29%	Actual	9.19%	8.29%	8.35%	4.11%	4.53%

<b>F</b>	Grade 8	2015	Target >=	5.00%	5.50%	6.00%	6.50%	9.00%
<b>F</b>	Grade 8	8.39%	Actual	8.04%	8.39%	6.60%	5.87%	5.97%
<b>G</b>	Grade 11	2015	Target >=	5.50%	6.00%	7.00%	8.00%	9.00%
<b>G</b>	Grade 11	7.06%	Actual	8.25%	7.06%	7.19%	12.50%	11.39%

#### Historical Data: Math

Group	Group Name	Baseline	FFY	2014	2015	2016	2017	2018
<b>A</b>	Grade 3	2015	Target >=	12.00%	12.50%	13.00%	14.00%	18.00%
<b>A</b>	Grade 3	17.27%	Actual	14.13%	17.27%	18.30%	10.14%	11.98%
<b>B</b>	Grade 4	2015	Target >=	4.00%	4.50%	5.00%	6.00%	18.00%
<b>B</b>	Grade 4	9.99%	Actual	6.55%	9.99%	7.84%	5.56%	5.39%
<b>C</b>	Grade 5	2015	Target >=	3.50%	4.00%	5.00%	6.00%	8.00%
<b>C</b>	Grade 5	7.26%	Actual	6.18%	7.26%	7.71%	3.27%	5.44%
<b>D</b>	Grade 6	2015	Target >=	2.00%	2.50%	3.00%	4.00%	7.00%
<b>D</b>	Grade 6	5.99%	Actual	5.06%	5.99%	4.57%	2.49%	3.75%
<b>E</b>	Grade 7	2015	Target >=	2.50%	3.00%	4.00%	5.00%	9.00%
<b>E</b>	Grade 7	7.56%	Actual	5.77%	7.56%	6.07%	2.91%	3.14%
<b>F</b>	Grade 8	2015	Target >=	3.00%	3.50%	4.00%	5.00%	9.00%
<b>F</b>	Grade 8	7.91%	Actual	6.35%	7.91%	7.62%	3.45%	3.08%
<b>G</b>	Grade 11	2015	Target >=	2.00%	2.50%	3.00%	4.00%	5.00%
<b>G</b>	Grade 11	4.83%	Actual	4.76%	4.83%	6.53%	3.98%	3.67%

#### Targets

Subject	Group	Group Name	2019
Reading	A >=	Grade 3	17.00%
Reading	B >=	Grade 4	11.00%
Reading	C >=	Grade 5	10.00%
Reading	D >=	Grade 6	11.00%
Reading	E >=	Grade 7	10.50%
Reading	F >=	Grade 8	11.50%
Reading	G >=	Grade 11	10.00%
Math	A >=	Grade 3	22.00%
Math	B >=	Grade 4	30.00%
Math	C >=	Grade 5	10.00%
Math	D >=	Grade 6	10.00%
Math	E >=	Grade 7	13.00%
Math	F >=	Grade 8	13.00%
Math	G >=	Grade 11	6.00%

#### Targets: Description of Stakeholder Input

Rhode Island Department of Education (RIDE) first compiled and analyzed data for the development of the State Performance Plan (SPP) and Annual Performance Report (APR) utilizing the expertise of internal personnel. A draft along with the data was reviewed with the Rhode Island Special Education Advisory Committee (RISEAC). RISEAC (a) advises the Commissioner and Board of Regents for Elementary and Secondary Education on matters concerning the unmet educational needs of children with disabilities; (b) comments publicly on any rules or regulations proposed by the State regarding the education of children with disabilities; (c) advises the Rhode Island Department of Education in developing evaluations and reporting on data to the Secretary under section 618 of the IDEA; (d) advises RIDE in developing corrective action plans to address findings identified in Federal Monitoring Reports under Part B of the IDEA; and (e) advises the RIDE in developing and implementing policies relating to the coordination of services for children with disabilities. Membership of the committee is composed of individuals involved in or concerned with the education of children with disabilities. Parents of children with disabilities birth through 26 maintain the majority of the Committee Membership. The Membership also includes

individuals with disabilities, teachers, representatives of institutions of higher education, private schools, charter schools, state and local education officials, administrators of programs for children with disabilities foster care and homelessness, vocational, community or business organizations, juvenile and adult corrections and State Child Serving Agencies. The RISEAC reviews the draft and provides suggestions and input. These are considered and, as appropriate, incorporated into the final copy of the SPP. Progress and slippage in meeting the targets in the SPP are discussed in detail regarding each indicator submitted to OSEP. All indicators are publicly available on the RIDE website at the following link: <https://www.ride.ri.gov/InformationAccountability/Accountability/StatePerformancePlan.aspx> Each year RIDE publicly reports per 34 CFR 300.602(b)(1)(i)(A). Per OSEP, this typically occurs the first week of June. The link for accessing Rhode Island's public reporting information, which details the performance of each LEA on the targets in the SPP is as: [http://www.eride.ri.gov/SPED\\_PublicReporting/](http://www.eride.ri.gov/SPED_PublicReporting/)

**FFY 2019 Data Disaggregation from EDFacts**  
**Include the disaggregated data in your final SPP/APR. (yes/no)**  
 NO

**Data Source:**  
 SY 2019-20 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)  
**Date:**

**Reading Proficiency Data by Grade**

Grade	3	4	5	6	7	8	9	10	11	12	HS
a. Children with IEPs who received a valid score and a proficiency was assigned											
b. IEPs in regular assessment with no accommodations scored at or above proficient against grade level											
c. IEPs in regular assessment with accommodations scored at or above proficient against grade level											
f. IEPs in alternate assessment against alternate standards scored at or above proficient against grade level											

**Data Source:**  
 SY 2019-20 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)  
**Date:**

**Math Proficiency Data by Grade**

Grade	3	4	5	6	7	8	9	10	11	12	HS
a. Children with IEPs who received a valid score and a proficiency was assigned											
b. IEPs in regular assessment with no accommodations scored at or above proficient against grade level											
c. IEPs in regular assessment with accommodations scored at or above											

Grade	3	4	5	6	7	8	9	10	11	12	HS
proficient against grade level											
f. IEPs in alternate assessment against alternate standards scored at or above proficient against grade level											

#### FFY 2019 SPP/APR Data: Reading Assessment

Group	Group Name	Children with IEPs who received a valid score and a proficiency was assigned	Number of Children with IEPs Proficient	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A	Grade 3			14.26%	17.00%		N/A	N/A
B	Grade 4			6.23%	11.00%		N/A	N/A
C	Grade 5			7.52%	10.00%		N/A	N/A
D	Grade 6			4.97%	11.00%		N/A	N/A
E	Grade 7			4.53%	10.50%		N/A	N/A
F	Grade 8			5.97%	11.50%		N/A	N/A
G	Grade 11			11.39%	10.00%		N/A	N/A

#### FFY 2019 SPP/APR Data: Math Assessment

Group	Group Name	Children with IEPs who received a valid score and a proficiency was assigned	Number of Children with IEPs Proficient	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A	Grade 3			11.98%	22.00%		N/A	N/A
B	Grade 4			5.39%	30.00%		N/A	N/A
C	Grade 5			5.44%	10.00%		N/A	N/A
D	Grade 6			3.75%	10.00%		N/A	N/A
E	Grade 7			3.14%	13.00%		N/A	N/A
F	Grade 8			3.08%	13.00%		N/A	N/A
G	Grade 11			3.67%	6.00%		N/A	N/A

#### Regulatory Information

The SEA, (or, in the case of a district-wide assessment, LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children: (1) the number of children with disabilities participating in: (a) regular assessments, and the number of those children who were provided accommodations in order to participate in those assessments; and (b) alternate assessments aligned with alternate achievement standards; and (2) the performance of children with disabilities on regular assessments and on alternate assessments, compared with the achievement of all children, including children with disabilities, on those assessments. [20 U.S.C. 1412 (a)(16)(D); 34 CFR §300.160(f)]

#### Public Reporting Information

Provide links to the page(s) where you provide public reports of assessment results.

The state has reported the assessment results of student with disabilities who have participated in the regular assessment with accommodations here <https://www3.ride.ri.gov/ADP>. To access this data, under subject choose RICAS (there are two options for math and ELA). Then choose the correct year. Then under compare results, choose accommodations. This will compare those who took the regular test with accommodations and those who took the regular test without accommodations.

Provide additional information about this indicator (optional)

COVID has impacted the collection of this data set. The data is not complete because students were unable to proceed with taking a valid and reliable test during distance learning. The state has attempted to mitigate the the impact of COVID on this data collection by exploring ways the testing could be done in the future. It should also be noted that distance learning could have potential impact on student performance on state assessments, thus possibly requiring different targets for 3C for reporting in the 20-21 school year

### **3C - Prior FFY Required Actions**

None

### **3C - OSEP Response**

The State was not required to provide any data for this indicator. Due to the circumstances created by the COVID-19 pandemic, and resulting school closures, the State received a waiver of the assessment requirements in section 1111(b)(2) of the ESEA, and, as a result, does not have any FFY 2019 data for this indicator.

### **3C - Required Actions**

## Indicator 4A: Suspension/Expulsion

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results Indicator:** Rates of suspension and expulsion:

A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

#### Data Source

State discipline data, including State's analysis of State's Discipline data collected under IDEA Section 618, where applicable. Discrepancy can be computed by either comparing the rates of suspensions and expulsions for children with IEPs to rates for nondisabled children within the LEA or by comparing the rates of suspensions and expulsions for children with IEPs among LEAs within the State.

#### Measurement

Percent =  $\left[ \left( \frac{\text{\# of districts that meet the State-established n size (if applicable) that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs}}{\text{\# of districts in the State that meet the State-established n size (if applicable)}} \right) \right] \times 100$ .

Include State's definition of "significant discrepancy."

#### Instructions

If the State has established a minimum n size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n size. If the State used a minimum n size requirement, report the number of districts excluded from the calculation as a result of this requirement.

Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019), including data disaggregated by race and ethnicity to determine if significant discrepancies are occurring in the rates of long-term suspensions and expulsions of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State's examination must include one of the following comparisons:

- The rates of suspensions and expulsions for children with IEPs among LEAs within the State; or
- The rates of suspensions and expulsions for children with IEPs to nondisabled children within the LEAs

In the description, specify which method the State used to determine possible discrepancies and explain what constitutes those discrepancies.

Indicator 4A: Provide the actual numbers used in the calculation (based upon districts that met the minimum n size requirement, if applicable). If significant discrepancies occurred, describe how the State educational agency reviewed and, if appropriate, revised (or required the affected local educational agency to revise) its policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure that such policies, procedures, and practices comply with applicable requirements.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If discrepancies occurred and the district with discrepancies had policies, procedures or practices that contributed to the significant discrepancy and that do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with the Office of Special Education Programs (OSEP) Memorandum 09-02, dated October 17, 2008.

If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for 2018-2019), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 4A - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2016	100.00%

FFY	2014	2015	2016	2017	2018
Target <=	2.00%	2.00%	2.00%	2.00%	2.00%
Data	0.00%	0.00%	100.00%	0.00%	

### Targets

FFY	2019
Target <=	2.00%

### Targets: Description of Stakeholder Input

Rhode Island Department of Education (RIDE) first compiled and analyzed data for the development of the State Performance Plan (SPP) and Annual Performance Report (APR) utilizing the expertise of internal personnel. A draft along with the data was reviewed with the Rhode Island Special Education Advisory Committee (RISEAC). RISEAC (a) advises the Commissioner and Board of Regents for Elementary and Secondary Education on matters concerning the unmet educational needs of children with disabilities; (b) comments publicly on any rules or regulations proposed by the State regarding the education of children with disabilities; (c) advises the Rhode Island Department of Education in developing evaluations and reporting on

data to the Secretary under section 618 of the IDEA; (d) advises RIDE in developing corrective action plans to address findings identified in Federal Monitoring Reports under Part B of the IDEA; and (e) advises the RIDE in developing and implementing policies relating to the coordination of services for children with disabilities. Membership of the committee is composed of individuals involved in or concerned with the education of children with disabilities. Parents of children with disabilities birth through 26 maintain the majority of the Committee Membership. The Membership also includes individuals with disabilities, teachers, representatives of institutions of higher education, private schools, charter schools, state and local education officials, administrators of programs for children with disabilities foster care and homelessness, vocational, community or business organizations, juvenile and adult corrections and State Child Serving Agencies. The RISEAC reviews the draft and provides suggestions and input. These are considered and, as appropriate, incorporated into the final copy of the SPP. Progress and slippage in meeting the targets in the SPP are discussed in detail regarding each indicator submitted to OSEP. All indicators are publicly available on the RIDE website at the following link: <https://www.ride.ri.gov/InformationAccountability/Accountability/StatePerformancePlan.aspx> Each year RIDE publicly reports per 34 CFR 300.602(b)(1)(i)(A). Per OSEP, this typically occurs the first week of June. The link for accessing Rhode Island's public reporting information, which details the performance of each LEA on the targets in the SPP is as: [http://www.eride.ri.gov/SPED\\_PublicReporting/](http://www.eride.ri.gov/SPED_PublicReporting/)

#### FFY 2019 SPP/APR Data

**Has the state established a minimum n-size requirement? (yes/no)**

YES

**If yes, the State may only include, in both the numerator and the denominator, districts that met the State-established n size. Report the number of districts excluded from the calculation as a result of the requirement.**

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Number of districts that have a significant discrepancy	Number of Districts that met the State's minimum n-size	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
0	1		2.00%	0.00%	Met Target	No Slippage

**Choose one of the following comparison methodologies to determine whether significant discrepancies are occurring (34 CFR §300.170(a))**

The rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs in each LEA compared to the rates for nondisabled children in the same LEA

**State's definition of "significant discrepancy" and methodology**

Comparison of the risk of a district's special education students to be suspended out of school for more than 10 days to the risk of the district's general education students to be suspended out of school for more than 10 days to obtain a risk ratio. Districts with a risk ratio of 2.5 or higher for 2 consecutive years and a minimum n size of 10 students with IEPs that are suspended greater than 10 days would be considered significantly discrepant.

**Provide additional information about this indicator (optional)**

**Review of Policies, Procedures, and Practices (completed in FFY 2019 using 2018-2019 data)**

**Provide a description of the review of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.**

No districts had a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs compared to children without IEPs so there were no reviews of policies, procedures, and practices.

The State DID NOT identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b)

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
0	0	0	0

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

#### 4A - Prior FFY Required Actions

None



**4A - OSEP Response**

**4A - Required Actions**

## Indicator 4B: Suspension/Expulsion

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Compliance Indicator:** Rates of suspension and expulsion:

B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

#### Data Source

State discipline data, including State's analysis of State's Discipline data collected under IDEA Section 618, where applicable. Discrepancy can be computed by either comparing the rates of suspensions and expulsions for children with IEPs to rates for nondisabled children within the LEA or by comparing the rates of suspensions and expulsions for children with IEPs among LEAs within the State.

#### Measurement

Percent = [(# of districts that meet the State-established n size (if applicable) for one or more racial/ethnic groups that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of districts in the State that meet the State-established n size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State's definition of "significant discrepancy."

#### Instructions

If the State has established a minimum n size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n size. If the State used a minimum n size requirement, report the number of districts excluded from the calculation as a result of this requirement.

Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019), including data disaggregated by race and ethnicity to determine if significant discrepancies are occurring in the rates of long-term suspensions and expulsions of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State's examination must include one of the following comparisons

- The rates of suspensions and expulsions for children with IEPs among LEAs within the State; or
- The rates of suspensions and expulsions for children with IEPs to nondisabled children within the LEAs

In the description, specify which method the State used to determine possible discrepancies and explain what constitutes those discrepancies.

Indicator 4B: Provide the following: (a) the number of districts that met the State-established n size (if applicable) for one or more racial/ethnic groups that have a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) the number of those districts in which policies, procedures or practices contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If discrepancies occurred and the district with discrepancies had policies, procedures or practices that contributed to the significant discrepancy and that do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with the Office of Special Education Programs (OSEP) Memorandum 09-02, dated October 17, 2008.

If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for 2018-2019), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

Targets must be 0% for 4B.

### 4B - Indicator Data

#### Not Applicable

Select yes if this indicator is not applicable.

NO

#### Historical Data

Baseline Year	Baseline Data
2016	0.00%

FFY	2014	2015	2016	2017	2018
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%	0.00%	0.00%	

**Targets**

FFY	2019
Target	0%

**FFY 2019 SPP/APR Data**

Has the state established a minimum n-size requirement? (yes/no)

YES

If yes, the State may only include, in both the numerator and the denominator, districts that met the State-established n size. Report the number of districts excluded from the calculation as a result of the requirement.

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Number of districts that have a significant discrepancy, by race or ethnicity	Number of those districts that have policies procedure, or practices that contribute to the significant discrepancy and do not comply with requirements	Number of Districts that met the State's minimum n-size	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
0	0	0		0%		N/A	N/A

Were all races and ethnicities included in the review?

YES

**State's definition of "significant discrepancy" and methodology**

Comparison of the risk of a district's students from a particular racial/ethnic group with disabilities to be suspended out of school form more than 10 days to the risk of all general education students from that same district to be suspended out of school for more than 10 days to obtain a risk ratio. Districts with a risk ratio of 2.5 or higher for 2 consecutive years and a minimum cell size of 10 students with disabilities in a particular racial/ethnic category suspended greater than 10 days would be considered significantly discrepant.

**Provide additional information about this indicator (optional)****Review of Policies, Procedures, and Practices (completed in FFY 2019 using 2018-2019 data)**

Provide a description of the review of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

No districts had a significant discrepancy by race or ethnicity in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs so there was no review of policies, procedures, and practices.

The State DID NOT identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b)

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
0	0	0	0

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**Findings of Noncompliance Verified as Corrected**

Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements*

Describe how the State verified that each *individual case* of noncompliance was corrected

**4B - Prior FFY Required Actions**

None

**4B - OSEP Response**

**4B- Required Actions**

## Indicator 5: Education Environments (children 6-21)

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Education environments (children 6-21): Percent of children with IEPs aged 6 through 21 served:

- A. Inside the regular class 80% or more of the day;
- B. Inside the regular class less than 40% of the day; and
- C. In separate schools, residential facilities, or homebound/hospital placements.

(20 U.S.C. 1416(a)(3)(A))

#### Data Source

Same data as used for reporting to the Department under section 618 of the IDEA, using the definitions in EDFacts file specification FS002.

#### Measurement

Percent = [(# of children with IEPs aged 6 through 21 served inside the regular class 80% or more of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

Percent = [(# of children with IEPs aged 6 through 21 served inside the regular class less than 40% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

Percent = [(# of children with IEPs aged 6 through 21 served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

#### Instructions

Sampling from the State's 618 data is not allowed.

Describe the results of the calculations and compare the results to the target.

If the data reported in this indicator are not the same as the State's data reported under section 618 of the IDEA, explain.

## 5 - Indicator Data

### Historical Data

Part	Baseline	FFY	2014	2015	2016	2017	2018
A	2019	Target >=	71.00%	72.00%	73.00%	74.00%	75.00%
A	71.00%	Data	71.05%	69.51%	69.69%	70.11%	70.22%
B	2019	Target <=	14.00%	13.50%	13.00%	12.50%	12.00%
B	11.00%	Data	12.50%	13.17%	12.77%	12.72%	12.57%
C	2019	Target <=	5.00%	5.00%	5.00%	5.00%	4.00%
C	5.60%	Data	5.11%	5.63%	5.25%	4.86%	4.62%

### Targets

FFY	2019
Target A >=	76.00%
Target B <=	11.50%
Target C <=	3.50%

### Targets: Description of Stakeholder Input

Rhode Island Department of Education (RIDE) first compiled and analyzed data for the development of the State Performance Plan (SPP) and Annual Performance Report (APR) utilizing the expertise of internal personnel. A draft along with the data was reviewed with the Rhode Island Special Education Advisory Committee (RISEAC). RISEAC (a) advises the Commissioner and Board of Regents for Elementary and Secondary Education on matters concerning the unmet educational needs of children with disabilities; (b) comments publicly on any rules or regulations proposed by the State regarding the education of children with disabilities; (c) advises the Rhode Island Department of Education in developing evaluations and reporting on data to the Secretary under section 618 of the IDEA; (d) advises RIDE in developing corrective action plans to address findings identified in Federal Monitoring Reports under Part B of the IDEA; and (e) advises the RIDE in developing and implementing policies relating to the coordination of services for children with disabilities. Membership of the committee is composed of individuals involved in or concerned with the education of children with disabilities. Parents of children with disabilities birth through 26 maintain the majority of the Committee Membership. The Membership also includes individuals with disabilities, teachers, representatives of institutions of higher education, private schools, charter schools, state and local education officials, administrators of programs for children with disabilities foster care and homelessness, vocational, community or business organizations, juvenile and adult corrections and State Child Serving Agencies. The RISEAC reviews the draft and provides suggestions and input. These are considered and, as appropriate, incorporated into the final copy of the SPP. Progress and slippage in meeting the targets in the SPP are discussed in detail regarding each indicator submitted to OSEP. All indicators are publicly available on the RIDE website at the following link: <https://www.ride.ri.gov/InformationAccountability/Accountability/StatePerformancePlan.aspx> Each year RIDE publicly reports per 34 CFR 300.602(b)(1)(i)(A). Per OSEP, this typically occurs the first week of June. The link for accessing Rhode Island's public reporting information, which details the performance of each LEA on the targets in the SPP is as: [http://www.eride.ri.gov/SPED\\_PublicReporting/](http://www.eride.ri.gov/SPED_PublicReporting/)

#### Prepopulated Data

Source	Date	Description	Data
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	Total number of children with IEPs aged 6 through 21	22,198
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day	15,767
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day	2,539
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	c1. Number of children with IEPs aged 6 through 21 in separate schools	1,156
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	c2. Number of children with IEPs aged 6 through 21 in residential facilities	77
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	c3. Number of children with IEPs aged 6 through 21 in homebound/hospital placements	23

Select yes if the data reported in this indicator are not the same as the State's data reported under section 618 of the IDEA.

NO

#### FFY 2019 SPP/APR Data

Education Environments	Number of children with IEPs aged 6 through 21 served	Total number of children with IEPs aged 6 through 21	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day	15,767	22,198	70.22%	76.00%	71.03%	Did Not Meet Target	N/A
B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day	2,539	22,198	12.57%	11.50%	11.44%	Met Target	N/A
C. Number of children with IEPs aged 6 through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3]	1,256	22,198	4.62%	3.50%	5.66%	Did Not Meet Target	N/A

Use a different calculation methodology (yes/no)

NO

Provide additional information about this indicator (optional)

#### 5 - Prior FFY Required Actions

None

#### 5 - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2019, and OSEP accepts that revision.

Reporting requirements for the IDEA section 618 data collection (specifically, IDEA Part B Child Counts and Educational Environments) were updated to allow States to include five-year-olds in Kindergarten in file specification FS002 - Children with Disabilities (IDEA) School Age and exclude these children

from file specification FS089 - Children with Disabilities (IDEA) Early Childhood for School Year (SY) 2019-20. SY 2019-20 (i.e., FFY 2019) was the transition year for this change; States had the option to report five-year-olds in Kindergarten in FS002 in their SY 2019-20 submission or wait to do so with their SY 2020-21 submission, when the change becomes permanent. The State transitioned to reporting five-year-olds in Kindergarten in FS002 for its SY 2019-20 submission under IDEA section 618. This change impacts the State's data for SPP/APR Indicators 5 and 6, because the required data source for SPP/APR Indicators 5 and 6 is the same data as used for reporting to the Department under IDEA section 618. Therefore, the State's slippage status indicates "NA" for this indicator.

## **5 - Required Actions**

## Indicator 6: Preschool Environments

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Preschool environments: Percent of children aged 3 through 5 with IEPs attending a:

- A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and
- B. Separate special education class, separate school or residential facility.

(20 U.S.C. 1416(a)(3)(A))

#### Data Source

Same data as used for reporting to the Department under section 618 of the IDEA, using the definitions in EDFacts file specification FS089.

#### Measurement

Percent = [(# of children aged 3 through 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.

Percent = [(# of children aged 3 through 5 with IEPs attending a separate special education class, separate school or residential facility) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.

#### Instructions

Sampling from the State's 618 data is not allowed.

Describe the results of the calculations and compare the results to the target.

If the data reported in this indicator are not the same as the State's data reported under section 618 of the IDEA, explain.

## 6 - Indicator Data

### Not Applicable

**Select yes if this indicator is not applicable.**

NO

#### Historical Data

Part	Baseline	FFY	2014	2015	2016	2017	2018
A	2019	Target >=	46.00%	47.00%	48.00%	49.00%	50.00%
A	54.60%	Data	44.97%	46.96%	48.40%	49.02%	49.03%
B	2019	Target <=	19.00%	18.00%	17.00%	16.00%	15.00%
B	10.81%	Data	18.83%	15.78%	14.78%	13.73%	12.58%

#### Targets

FFY	2019
Target A >=	50.50%
Target B <=	12.00%

#### Targets: Description of Stakeholder Input

Rhode Island Department of Education (RIDE) first compiled and analyzed data for the development of the State Performance Plan (SPP) and Annual Performance Report (APR) utilizing the expertise of internal personnel. A draft along with the data was reviewed with the Rhode Island Special Education Advisory Committee (RISEAC). RISEAC (a) advises the Commissioner and Board of Regents for Elementary and Secondary Education on matters concerning the unmet educational needs of children with disabilities; (b) comments publicly on any rules or regulations proposed by the State regarding the education of children with disabilities; (c) advises the Rhode Island Department of Education in developing evaluations and reporting on data to the Secretary under section 618 of the IDEA; (d) advises RIDE in developing corrective action plans to address findings identified in Federal Monitoring Reports under Part B of the IDEA; and (e) advises the RIDE in developing and implementing policies relating to the coordination of services for children with disabilities. Membership of the committee is composed of individuals involved in or concerned with the education of children with disabilities. Parents of children with disabilities birth through 26 maintain the majority of the Committee Membership. The Membership also includes individuals with disabilities, teachers, representatives of institutions of higher education, private schools, charter schools, state and local education officials, administrators of programs for children with disabilities foster care and homelessness, vocational, community or business organizations, juvenile and adult corrections and State Child Serving Agencies. The RISEAC reviews the draft and provides suggestions and input. These are considered and, as appropriate, incorporated into the final copy of the SPP. Progress and slippage in meeting the targets in the SPP are discussed in detail regarding each indicator submitted to OSEP. All indicators are publicly available on the RIDE website at the following link: <https://www.ride.ri.gov/InformationAccountability/Accountability/StatePerformancePlan.aspx> Each year RIDE publicly reports per 34 CFR 300.602(b)(1)(i)(A). Per OSEP, this typically occurs the first week of June. The link for accessing Rhode Island's public reporting information, which details the performance of each LEA on the targets in the SPP is as: [http://www.eride.ri.gov/SPED\\_PublicReporting/](http://www.eride.ri.gov/SPED_PublicReporting/)

#### Prepopulated Data



Source	Date	Description	Data
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/08/2020	Total number of children with IEPs aged 3 through 5	2,350
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/08/2020	a1. Number of children attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program	1,283
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/08/2020	b1. Number of children attending separate special education class	237
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/08/2020	b2. Number of children attending separate school	17
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/08/2020	b3. Number of children attending residential facility	0

Select yes if the data reported in this indicator are not the same as the State's data reported under section 618 of the IDEA.

NO

#### FFY 2019 SPP/APR Data

Preschool Environments	Number of children with IEPs aged 3 through 5 served	Total number of children with IEPs aged 3 through 5	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A. A regular early childhood program and receiving the majority of special education and related services in the regular early childhood program	1,283	2,350	49.03%	50.50%	54.60%	Met Target	N/A
B. Separate special education class, separate school or residential facility	254	2,350	12.58%	12.00%	10.81%	Met Target	N/A

Use a different calculation methodology (yes/no)

NO

#### Provide additional information about this indicator (optional)

In SY 19-20, RI reported the 5-year olds in kindergarten in the FS002 school-age file. The prepopulated data in B6 is correct and represents only 3 through 5-year-olds not in kindergarten. RIDE is pleased to report a significant increase in percentage A and decreases in percentage B, far surpassing previously set targets. Over the last several years, RIDE has reported a steady increase in the percentage of young children attending and receiving the majority of their special education and related services in regular early childhood programs. RI has witnessed a 9.6% increase over the last five years, with a substantial 5.6% increase this year. RIDE is equally pleased to report a steady decrease in the percentage of young children attending separate special education classes, separate schools, and residential facilities. RI has witnessed an 8% decrease over the last five years, with a 1.8% decrease this year. Much of these improvements can be attributed to the implementation of the Rhode Island Itinerant Early Childhood Special Education (RI-IECSE) Service-Delivery Model. The model allows children with disabilities to access high-quality general education settings while receiving the necessary specially designed instruction (SDI) & accommodations embedded into their everyday activities and routines. RIDE offers both an 18-hour professional development for early childhood special educators and a 6-hour professional development for general early childhood educators, a monthly RI-IECSE Community of Practice, and on-going individualized technical assistance to districts.

#### 6 - Prior FFY Required Actions

None

#### 6 - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2019, and OSEP accepts that revision.

Reporting requirements for the IDEA section 618 data collection (specifically, IDEA Part B Child Counts and Educational Environments) were updated to allow States to include five-year-olds in Kindergarten in file specification FS002 - Children with Disabilities (IDEA) School Age and exclude these children from file specification FS089 - Children with Disabilities (IDEA) Early Childhood for School Year (SY) 2019-20. SY 2019-20 (i.e., FFY 2019) was the transition year for this change; States had the option to report five-year-olds in Kindergarten in FS002 in their SY 2019-20 submission or wait to do so with their SY 2020-21 submission, when the change becomes permanent. The State transitioned to reporting five-year-olds in Kindergarten in FS002 for

its SY 2019-20 submission under IDEA section 618. This change impacts the State's data for SPP/APR Indicators 5 and 6, because the required data source for SPP/APR Indicators 5 and 6 is the same data as used for reporting to the Department under IDEA section 618. Therefore, the State's slippage status indicates "NA" for this indicator.

## **6 - Required Actions**

## Indicator 7: Preschool Outcomes

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

(20 U.S.C. 1416 (a)(3)(A))

#### Data Source

State selected data source.

#### Measurement

Outcomes:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

Progress categories for A, B and C:

- a. Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by (# of preschool children with IEPs assessed)] times 100.
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it) divided by (# of preschool children with IEPs assessed)] times 100.
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.
- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.

#### Summary Statements for Each of the Three Outcomes:

**Summary Statement 1:** Of those preschool children who entered the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

**Measurement for Summary Statement 1:** Percent = [(# of preschool children reported in progress category (c) plus # of preschool children reported in category (d)) divided by ((# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c) plus # of preschool children reported in progress category (d))] times 100.

**Summary Statement 2:** The percent of preschool children who were functioning within age expectations in each Outcome by the time they turned 6 years of age or exited the program.

**Measurement for Summary Statement 2:** Percent = [(# of preschool children reported in progress category (d) plus # of preschool children reported in progress category (e)) divided by ((the total # of preschool children reported in progress categories (a) + (b) + (c) + (d) + (e))] times 100.

#### Instructions

Sampling of **children for assessment** is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates. (See [General Instructions](#) on page 2 for additional instructions on sampling.)

In the measurement include, in the numerator and denominator, only children who received special education and related services for at least six months during the age span of three through five years.

Describe the results of the calculations and compare the results to the targets. States will use the progress categories for each of the three Outcomes to calculate and report the two Summary Statements. States have provided targets for the two Summary Statements for the three Outcomes (six numbers for targets for each FFY).

Report progress data and calculate Summary Statements to compare against the six targets. Provide the actual numbers and percentages for the five reporting categories for each of the three outcomes.

In presenting results, provide the criteria for defining "comparable to same-aged peers." If a State is using the Early Childhood Outcomes Center (ECO) Child Outcomes Summary (COS), then the criteria for defining "comparable to same-aged peers" has been defined as a child who has been assigned a score of 6 or 7 on the COS.

In addition, list the instruments and procedures used to gather data for this indicator, including if the State is using the ECO COS.

## 7 - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

#### Historical Data

Part	Baseline	FFY	2014	2015	2016	2017	2018
A1	2016	Target >=	75.75%	76.50%	80.13%	81.00%	81.50%
A1	80.13%	Data	76.66%	78.35%	80.13%	79.28%	71.08%
A2	2016	Target >=	58.00%	60.00%	48.66%	49.50%	50.00%

A2	48.66%	Data	56.60%	59.57%	48.66%	52.08%	48.41%
B1	2016	Target >=	77.50%	78.00%	68.17%	69.00%	69.50%
B1	68.17%	Data	75.56%	75.22%	68.17%	79.45%	72.53%
B2	2016	Target >=	62.00%	62.50%	38.50%	39.00%	39.50%
B2	38.50%	Data	58.30%	60.00%	38.50%	44.40%	38.13%
C1	2016	Target >=	74.50%	75.00%	86.04%	86.50%	87.00%
C1	86.04%	Data	66.24%	72.08%	86.04%	80.88%	74.71%
C2	2016	Target >=	65.00%	66.00%	55.35%	56.00%	56.50%
C2	55.35%	Data	61.57%	63.14%	55.35%	60.03%	59.60%

#### Targets

FFY	2019
Target A1 >=	82.00%
Target A2 >=	50.50%
Target B1 >=	70.00%
Target B2 >=	40.00%
Target C1 >=	87.50%
Target C2 >=	57.00%

#### Targets: Description of Stakeholder Input

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#### FFY 2019 SPP/APR Data

##### Number of preschool children aged 3 through 5 with IEPs assessed

1,036

##### Outcome A: Positive social-emotional skills (including social relationships)

Outcome A Progress Category	Number of children	Percentage of Children
a. Preschool children who did not improve functioning	1	0.10%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	262	25.29%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	278	26.83%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	273	26.35%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	222	21.43%

Outcome A	Numerator	Denominator	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. <i>Calculation: (c+d)/(a+b+c+d)</i>	551	814	71.08%	82.00%	67.69%	Did Not Meet Target	Slippage
A2. The percent of preschool children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program. <i>Calculation: (d+e)/(a+b+c+d+e)</i>	495	1,036	48.41%	50.50%	47.78%	Did Not Meet Target	No Slippage

**Outcome B: Acquisition and use of knowledge and skills (including early language/communication)**

Outcome B Progress Category	Number of Children	Percentage of Children
a. Preschool children who did not improve functioning	0	0.00%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	327	31.56%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	350	33.78%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	312	30.12%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	47	4.54%

Outcome B	Numerator	Denominator	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
B1. Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. <i>Calculation: (c+d)/(a+b+c+d)</i>	662	989	72.53%	70.00%	66.94%	Did Not Meet Target	Slippage
B2. The percent of preschool children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the program. <i>Calculation: (d+e)/(a+b+c+d+e)</i>	359	1,036	38.13%	40.00%	34.65%	Did Not Meet Target	Slippage

**Outcome C: Use of appropriate behaviors to meet their needs**

Outcome C Progress Category	Number of Children	Percentage of Children
a. Preschool children who did not improve functioning	1	0.10%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	233	22.49%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	200	19.31%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	324	31.27%

Outcome C Progress Category	Number of Children	Percentage of Children
e. Preschool children who maintained functioning at a level comparable to same-aged peers	278	26.83%

Outcome C	Numerator	Denominator	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
C1. Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. <i>Calculation: (c+d)/(a+b+c+d)</i>	524	758	74.71%	87.50%	69.13%	Did Not Meet Target	Slippage
C2. The percent of preschool children who were functioning within age expectations in Outcome C by the time they turned 6 years of age or exited the program. <i>Calculation: (d+e)/(a+b+c+d+e)</i>	602	1,036	59.60%	57.00%	58.11%	Met Target	No Slippage

Part	Reasons for slippage, if applicable
A1	For Outcome A1, there was a 3.3% decrease from the FFY 2018 data. RIDE acknowledges the many challenges LEAs witnessed in FFY 2019. Due to the pandemic, all child assessments and all team meetings to complete COS exit ratings needed to be held virtually. During these early days of the pandemic, districts worked diligently to create the vehicles, practices, and training to implement virtual assessments and hold virtual meetings. RIDE provided almost immediate support, reinforcing the ongoing requirements, and offering suggestions for moving to virtual meetings and child assessments. The support was provided via two virtual meetings for LEAs and FAQ information disseminated to districts and posted on the RIDE website. Despite the support, districts were challenged to identify, purchase, and implement virtual assessment tools that gave an accurate picture of a child's functioning. Likewise, LEAs struggled to ensure that parents and EC teachers could participate in rescheduled virtual meetings to complete the COS exit ratings due to the need to consider functioning across multiple environments and settings. RIDE believes that the pandemic impacted both the validity and reliability of the exit ratings, which may account for the slippage in outcome A1. Additionally, RIDE can not underestimate the actual impact of the pandemic on child outcomes.
B1	For Outcome B1, there was a 5.6% difference from the FFY 2018 data. RIDE acknowledges the many challenges LEAS witnessed in FFY 2019. Due to the pandemic, all child assessments and all team meetings to complete COS exit ratings needed to be held virtually. During these early days of the pandemic, districts worked diligently to create the vehicles, practices, and training to implement virtual assessments and hold virtual meetings. RIDE provided almost immediate support, reinforcing the ongoing requirements, and offering suggestions for moving to virtual meetings and child assessments. The support was provided via two virtual meetings for LEAs and FAQ information disseminated to districts and posted on the RIDE website. Despite the support, districts were challenged to identify, purchase, and implement virtual assessment tools that gave an accurate picture of a child's functioning. Likewise, LEAs struggled to ensure that parents and EC teachers could participate in rescheduled virtual meetings to complete the COS exit ratings due to the need to consider functioning across multiple environments and settings. RIDE believes that the pandemic impacted both the validity and reliability of the exit ratings, which may account for the slippage in outcome B1. Additionally, RIDE can not underestimate the actual impact of the pandemic on child outcomes.
B2	For Outcome B2, there was a 3.5% difference from the FFY 2018 data. RIDE acknowledges the many challenges LEAS witnessed in FFY 2019. Due to the pandemic, all child assessments and all team meetings to complete COS exit ratings needed to be held virtually. During these early days of the pandemic, districts worked diligently to create the vehicles, practices, and training to implement virtual assessments and hold virtual meetings. RIDE provided almost immediate support, reinforcing the ongoing requirements, and offering suggestions for moving to virtual meetings and child assessments. The support was provided via two virtual meetings for LEAs and FAQ information disseminated to districts and posted on the RIDE website. Despite the support, districts were challenged to identify, purchase, and implement virtual assessment tools that gave an accurate picture of a child's functioning. Likewise, LEAs struggled to ensure that parents and EC teachers could participate in rescheduled virtual meetings to complete the COS exit ratings due to the need to consider functioning across multiple environments and settings. RIDE believes that the pandemic impacted both the validity and reliability of the exit ratings, which may account for the slippage in outcome B2. Additionally, RIDE can not underestimate the actual impact of the pandemic on child outcomes.
C1	For Outcome C1, there was a 5.6% difference from the FFY 2018 data. RIDE acknowledges the many challenges LEAS witnessed in FFY 2019. Due to the pandemic, all child assessments and all team meetings to complete COS exit ratings needed to be held virtually. During these early days of the pandemic, districts worked diligently to create the vehicles, practices, and training to implement virtual assessments and hold virtual meetings. RIDE provided almost immediate support, reinforcing the ongoing requirements, and offering suggestions for moving to virtual meetings and child assessments. The support was provided via two virtual meetings for LEAs and FAQ information disseminated to districts and posted on the RIDE website. Despite the support, districts were challenged to identify, purchase, and implement virtual assessment tools that gave an accurate picture of a child's functioning. Likewise, LEAs struggled to ensure that parents and EC teachers could participate in rescheduled virtual meetings to complete the COS exit ratings due to the need to consider

Part	Reasons for slippage, if applicable
	functioning across multiple environments and settings. RIDE believes that the pandemic impacted both the validity and reliability of the exit ratings, which may account for the slippage in outcome C1. Additionally, RIDE can not underestimate the actual impact of the pandemic on child outcomes.

**Does the State include in the numerator and denominator only children who received special education and related services for at least six months during the age span of three through five years? (yes/no)**

YES

Sampling Question	Yes / No
Was sampling used?	NO

**Did you use the Early Childhood Outcomes Center (ECO) Child Outcomes Summary Form (COS) process? (yes/no)**

YES

**List the instruments and procedures used to gather data for this indicator.**

Rhode Island uses the ECO COS process to determine Preschool Outcomes. RI's Child Outcomes Procedures and Protocols, a link to RI's online professional development modules, a family guide and a variety of other forms and resources for educators and families can be found at: <https://www.ride.ri.gov/InstructionAssessment/EarlyChildhoodEducation/EarlyChildhoodSpecialEducation/MeasuringChildOutcomes.aspx>

**Provide additional information about this indicator (optional)**

In RI, Part C and Part B providers use the same child outcomes measurement system. The process for determining outcome ratings is not seen as separate or independent from the EI/ECSE referral, eligibility, and IEP process. Instead, the discussion of the functional outcome areas is embedded in the existing processes and structures. With the sudden onset of COVID-19, RIDE recognizes the impact of virtual assessment and meetings on the COS process. Since children manifest different skills and knowledge under different circumstances, RI acknowledges the importance of considering a child's functioning across multiple situations and environments, including but not limited to the child's home, early care and education setting, and community. Therefore, when determining the rating, EI, and ECSE programs are expected to use multiple sources of information to provide a comprehensive description of a child's functional skills and behaviors. The individuals who participate in the child outcomes process and provide input into the entry and exit assessment rating bring different information and unique perspectives that ultimately lead to an overall collaborative statement of functioning within each outcome area. In FFY 2019, the child assessments and team meetings to discuss functional skills and behaviors, age-anchoring, and overall statement of functioning for the COS exit may have significantly limited the ability to consider each child's functioning across multiple settings. This may account for RI not meeting all targets and experiencing slippage.

## 7 - Prior FFY Required Actions

None

## 7 - OSEP Response

## 7 - Required Actions

## Indicator 8: Parent involvement

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

(20 U.S.C. 1416(a)(3)(A))

#### Data Source

State selected data source.

#### Measurement

Percent = [(# of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities) divided by the (total # of respondent parents of children with disabilities)] times 100.

#### Instructions

Sampling of parents from whom response is requested is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates. (See General Instructions on page 2 for additional instructions on sampling.)

Describe the results of the calculations and compare the results to the target.

Provide the actual numbers used in the calculation.

If the State is using a separate data collection methodology for preschool children, the State must provide separate baseline data, targets, and actual target data or discuss the procedures used to combine data from school age and preschool data collection methodologies in a manner that is valid and reliable.

While a survey is not required for this indicator, a State using a survey must submit a copy of any new or revised survey with its SPP/APR.

Report the number of parents to whom the surveys were distributed.

Include the State's analysis of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services. States should consider categories such as race and ethnicity, age of the student, disability category, and geographic location in the State.

If the analysis shows that the demographics of the parents responding are not representative of the demographics of children receiving special education services in the State, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics. In identifying such strategies, the State should consider factors such as how the State distributed the survey to parents (e.g., by mail, by e-mail, on-line, by telephone, in-person through school personnel), and how responses were collected.

States are encouraged to work in collaboration with their OSEP-funded parent centers in collecting data.

### 8 - Indicator Data

Question	Yes / No
Do you use a separate data collection methodology for preschool children?	NO

#### Targets: Description of Stakeholder Input

Rhode Island Department of Education (RIDE) first compiled and analyzed data for the development of the State Performance Plan (SPP) and Annual Performance Report (APR) utilizing the expertise of internal personnel. A draft along with the data was reviewed with the Rhode Island Special Education Advisory Committee (RISEAC). RISEAC (a) advises the Commissioner and Board of Regents for Elementary and Secondary Education on matters concerning the unmet educational needs of children with disabilities; (b) comments publicly on any rules or regulations proposed by the State regarding the education of children with disabilities; (c) advises the Rhode Island Department of Education in developing evaluations and reporting on data to the Secretary under section 618 of the IDEA; (d) advises RIDE in developing corrective action plans to address findings identified in Federal Monitoring Reports under Part B of the IDEA; and (e) advises the RIDE in developing and implementing policies relating to the coordination of services for children with disabilities. Membership of the committee is composed of individuals involved in or concerned with the education of children with disabilities. Parents of children with disabilities birth through 26 maintain the majority of the Committee Membership. The Membership also includes individuals with disabilities, teachers, representatives of institutions of higher education, private schools, charter schools, state and local education officials, administrators of programs for children with disabilities foster care and homelessness, vocational, community or business organizations, juvenile and adult corrections and State Child Serving Agencies. The RISEAC reviews the draft and provides suggestions and input. These are considered and, as appropriate, incorporated into the final copy of the SPP. Progress and slippage in meeting the targets in the SPP are discussed in detail regarding each indicator submitted to OSEP. All indicators are publicly available on the RIDE website at the following link: <https://www.ride.ri.gov/InformationAccountability/Accountability/StatePerformancePlan.aspx> Each year RIDE publicly reports per 34 CFR 300.602(b)(1)(i)(A). Per OSEP, this typically occurs the first week of June. The link for accessing Rhode Island's public reporting information, which details the performance of each LEA on the targets in the SPP is as: [http://www.eride.ri.gov/SPED\\_PublicReporting/](http://www.eride.ri.gov/SPED_PublicReporting/)

#### Historical Data

Baseline Year	Baseline Data
2006	26.00%

FFY	2014	2015	2016	2017	2018
Target >=	41.00%	43.00%	45.00%	47.00%	50.00%
Data	40.00%	63.37%	61.81%	70.44%	32.09%

#### Targets



<b>FFY</b>	<b>2019</b>
Target >=	51.00%

#### FFY 2019 SPP/APR Data

Number of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities	Total number of respondent parents of children with disabilities	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
1,848	5,754	32.09%	51.00%	32.12%	Did Not Meet Target	No Slippage

The number of parents to whom the surveys were distributed.

24,548

Percentage of respondent parents

23.44%

Since the State did not report preschool children separately, discuss the procedures used to combine data from school age and preschool surveys in a manner that is valid and reliable.

The TOTAL response group included parents of students with disabilities of every grade level from Pre-Kindergarten to 12th grade within all districts (See Below).

Sampling Question	Yes / No
Was sampling used?	NO

Survey Question	Yes / No
Was a survey used?	YES
If yes, is it a new or revised survey?	YES
If yes, provide a copy of the survey.	
The demographics of the parents responding are representative of the demographics of children receiving special education services.	YES

Include the State's analyses of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services.

In order to meet the aforementioned federal reporting requirements, the Rhode Island Department of Education (RIDE) administered a parent survey in Spring 2020 to address Indicator #8, "the percent of parents with a child receiving special education services who reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities." The survey was administered by Panorama Education. ALL parents in Rhode Island had access to the survey.

Following the survey administration, response data were collected and analyzed. General response group characteristics are summarized below. The response group included parents of students with disabilities of every age group ranging from grades Pre-K to 12 from 62 school districts across the state of Rhode Island.

~The response group included parents of students with disabilities of every grade level from Pre-Kindergarten to 12th grade within 61 school districts.

~Survey distribution was encouraged and highlighted at the individual school level to all families. Families indicated if they were responding on behalf of a student with an IEP in question 1. This led to a 95% increase from spring 2018 (2,936 responses ) to spring 2020 (5,754 responses) and a 13% increase from parents of students with IEPs between spring 2019 and spring 2020.

~Each survey included instructions for completing the survey in English, Spanish, and Portuguese.

In addition to the general response group characteristics detailed above, survey data was disaggregated by the following variables that respondents identified on their surveys: parent race/ethnicity and parent/guardian gender. These disaggregated variables are summarized below. Parents were not asked whether their child qualified for free or reduced-price lunch or whether they were an English Language Learner due to sensitivity concerns. For that reason, that data is unavailable for disaggregation.

~Parent survey responses were received from the following student racial/ethnic groups: American Indian or Alaska Native, Asian, Black or African American, Hispanic, Native Hawaiian or Other Pacific Islander, White, and "Two or more Races."

The percentage of surveys returned by racial/ethnic breakdown are as follows:

-American Indian or Alaska Native = Less than 1%

-Asian = 4%

-Black or African American = 6%

-Hispanic or Latino = 30%

-Native Hawaiian or Other Pacific Islander = Less than 1%

-Two or more races = 4%

-White = 45%

-No response or blank = 10%

~Respondents indicated that for their own gender:  
-78% are Female  
-18% are Male,  
-4% are "Prefer not to say/Other"

Finally, data were categorized based on how parents responded to the items on the survey. The number of respondent parents who reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities was 1,848. The total number of respondent parents of children with disabilities was 5,754. The number of respondent parents who reported schools facilitated parent involvement as a means of improving services and results for children with disabilities divided by the total number of respondent parents of children with disabilities multiplied by 100 was 32%. This closely matches last year's percentage.

#### **Provide additional information about this indicator (optional)**

The Rhode Island Department of Education calculated the mean score for each respondent, (generally, on the 1-5 strongly disagree/strongly agree scale), excluded participants who didn't respond to any questions, and categorized each respondent as favorable or not based on whether or not their mean score was above 4.0 (an average score of 4 = "agree"). Please note that this year's survey content was similar to last year's and it included 26 questions. Last year's content included an additional 6 questions that were not deemed relevant for inclusion this year as they asked parents/guardians to consider their child, not their school.

Of the 5754 total respondents, we had demographic data for most of them via their selections on certain survey questions.

Survey responses from special education families increased 95% from spring 2018 to spring 2020 and 13% from spring 2019 to spring 2020.

Link to Rhode Island Department of Education Survey Resource Center:  
<https://www.ride.ri.gov/InformationAccountability/RIEducationData/SurveyWorks.aspx>

Link to survey data results:  
<https://secure.panoramaed.com/ride/understand/1314726/summary>

Type	Category	Number of Respondents	% of Respondents
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Gender	Female	4505	78%
Gender	Male	994	17%
Gender	Prefer not to say/Other or blank	264	5%
Ethnicity	American Indian or Alaska Native	39	1%
Ethnicity	Asian	241	4%
Ethnicity	Black or African American	441	8%
Ethnicity	Hispanic or Latino	1819	32%
Ethnicity	Native Hawaiian or Other Pacific Islander	8	0%
Ethnicity	Two or more races	253	4%
Ethnicity	White	2458	43%
Ethnicity	No response or blank	504	9%

### **8 - Prior FFY Required Actions**

None

### **8 - OSEP Response**

The State did not provide verification that the attachment it included in its FFY 2019 SPP/APR submission is in compliance with Section 508 of the Rehabilitation Act of 1973, as amended (Section 508), as required by Section 508.

### **8 - Required Actions**

OSEP notes that the State submitted verification that the attachment complies with Section 508 of the Rehabilitation Act of 1973, as amended (Section 508). However, one or more of the attachments included in the State's FFY 2019 SPP/APR submission are not in compliance with Section 508 and will not be posted on the U.S. Department of Education's IDEA website. Therefore, the State must make the attachment(s) available to the public as soon as practicable, but no later than 120 days after the date of the determination letter.

## Indicator 9: Disproportionate Representation

### Instructions and Measurement

**Monitoring Priority:** Disproportionality

**Compliance indicator:** Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

#### Data Source

State's analysis, based on State's Child Count data collected under IDEA section 618, to determine if the disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification.

#### Measurement

Percent = [(# of districts, that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups, with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification) divided by the (# of districts in the State that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State's definition of "disproportionate representation." Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).

Based on its review of the 618 data for FFY 2018, describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in special education and related services was the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum n and/or cell size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2019 reporting period (i.e., after June 30, 2020).

#### Instructions

Provide racial/ethnic disproportionality data for all children aged 6 through 21 served under IDEA, aggregated across all disability categories.

States are not required to report on underrepresentation.

If the State has established a minimum n and/or cell size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n and/or cell size. If the State used a minimum n and/or cell size requirement, report the number of districts totally excluded from the calculation as a result of this requirement because the district did not meet the minimum n and/or cell size for any racial/ethnic group.

Consider using multiple methods in calculating disproportionate representation of racial and ethnic groups to reduce the risk of overlooking potential problems. Describe the method(s) used to calculate disproportionate representation.

Provide the number of districts that met the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups identified with disproportionate representation of racial and ethnic groups in special education and related services and the number of those districts identified with disproportionate representation that is the result of inappropriate identification.

Targets must be 0%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken. If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 9 - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

#### Historical Data

Baseline Year	Baseline Data
2016	0.00%

FFY	2014	2015	2016	2017	2018
Target	0%	0%	0%	0%	0%
Data	1.67%	0.00%	0.00%	0.00%	1.67%

#### Targets

FFY	2019
Target	0%

#### FFY 2019 SPP/APR Data

Has the state established a minimum n and/or cell size requirement? (yes/no)

YES

If yes, the State may only include, in both the numerator and the denominator, districts that met the State-established n and/or cell size. Report the number of districts excluded from the calculation as a result of the requirement.

2

Number of districts with disproportionate representation of racial and ethnic groups in special education and related services	Number of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification	Number of Districts that met the State's minimum n-size	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
4	0	60	1.67%	0%	0.00%	Met Target	No Slippage

**Were all races and ethnicities included in the review?**

YES

**Define “disproportionate representation.” Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).**

Disproportionate Representation is defined as a risk ratio of 2.5 or higher for three consecutive years with a minimum n size of 5 students (step one) plus evidence of policies, procedures, and/or practices which result in inappropriate identification (step two). Evidence was collected from multiple sources: record reviews, onsite visits, district submissions in the consolidated resource plan including the disproportionality report online, and records of complaints, mediations, and hearings.

Step One: Using the criteria established above, the State determined that 4 school districts were identified as meeting the data threshold for disproportionate representation. While some districts did not meet the minimum cell size of 5 students of a particular race/ethnicity in special education, almost all districts met the n size for at least one race/ethnicity group in special education. Only 2 districts (both small, newer charter schools of a limited grade range) were excluded from examining disproportionate representation in special education and related services. There were 62 total districts and 2 were excluded due to cell size size. (Step One)

Step Two: Determining if Disproportionate Representation is the Result of Inappropriate Identification

The State reviewed the child find, evaluation (including re-evaluation), and eligibility policies, procedures, and practices of the 4 districts identified in step 1 of the FFY2019 data review as having disproportionate representation to determine whether the disproportionate representation was the result of inappropriate identification. Evidence was collected from multiple sources:

On-site record review of individual student files which occur both as part of the School Support System of focused Monitoring and also as part of additional probes in response to disproportionality data.

Additional data probes in which districts reviewed individual student files for a group showing disproportionate representation to examine trends in age/grade of eligibility, current or former ELL status, mobility in and out of district, changes in eligibility category over time, and completion of a full and individual evaluation.

Onsite visits in which district general education and special education leadership, building principals, special education and general education teaching staff including ESL/bilingual staff, related service providers, parents and students are interviewed regarding child find, evaluation/re-evaluation, and eligibility practices, procedures, and policies. Visits include the review of previous action plans for addressing disproportionality and accompanying revisions of policies, procedures, and practices.

Review of required district submissions of a disproportionality root cause self-assessment and corresponding evidence documents in the June 2019 and 2020 Disproportionality Report of the Consolidated Resource Plans including updates to action plans and prevention and/or correction activities. District documents are uploaded for further review and may include forms, agendas, revised policies, new or revised procedures, etc.

Review of complaints, mediations, and hearings during FFY2019

As a result of its extensive verification process, the State found that no districts were noncompliant with the eligibility and evaluation requirements. Accordingly, the State determined that 0 of the 4 districts had disproportionate representation of racial and ethnic groups in special education and related services due to inappropriate identification. File reviews did not yield child specific findings of noncompliance.

**Describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in special education and related services was the result of inappropriate identification.**

Step Two: Determining if Disproportionate Representation is the Result of Inappropriate Identification

The State reviewed the child find, evaluation (including re-evaluation), and eligibility policies, procedures, and practices of the 4 districts identified in step 1 of the FFY2019 data review as having disproportionate representation to determine whether the disproportionate representation was the result of inappropriate identification. Evidence was collected from multiple sources:

On-site record review of individual student files which occur both as part of the School Support System of focused Monitoring and also as part of additional probes in response to disproportionality data.

Additional data probes in which districts reviewed individual student files for a group showing disproportionate representation to examine trends in age/grade of eligibility, current or former ELL status, mobility in and out of district, changes in eligibility category over time, and completion of a full and individual evaluation.

Onsite visits in which district general education and special education leadership, building principals, special education and general education teaching

staff including ESL/bilingual staff, related service providers, parents and students are interviewed regarding child find, evaluation/re-evaluation, and eligibility practices, procedures, and policies. Visits include the review of previous action plans for addressing disproportionality and accompanying revisions of policies, procedures, and practices.

Review of required district submissions of a disproportionality root cause self-assessment and corresponding evidence documents in the June 2019 and 2020 Disproportionality Report of the Consolidated Resource Plans including updates to action plans and prevention and/or correction activities. District documents are uploaded for further review and may include forms, agendas, revised policies, new or revised procedures, etc.

Review of complaints, mediations, and hearings during FFY2019

As a result of its extensive verification process, the State found that no districts were noncompliant with the eligibility and evaluation requirements. Accordingly, the State determined that 0 of the 4 districts had disproportionate representation of racial and ethnic groups in special education and related services due to inappropriate identification. File reviews did not yield child specific findings of noncompliance.

**Provide additional information about this indicator (optional)**

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
1	1	0	0

**FFY 2018 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements***

Based on a review of updated data subsequently collected through a State data system (June 2019 and June 2020 Child Count data), as well as updated data subsequently collected through the June 2020 Disproportionality Performance Report and Accelegrants system, the district has revised policies and procedures, trained on the new policies and procedures to ensure revised practices for the identification of children with disabilities particularly in the area of culturally appropriate practices with students who are Native American. The district participated in targeted technical assistance provided by RIDE as well as ongoing, embedded in-district training delivered by local experts in the education of Native American children and youth and connected to national TA and tools such as the Success Gaps Toolkit from the IDC, and the district is correctly implementing the specific regulatory requirements.

The State engaged in specific actions to verify the correction. The State examined trends in the number of students with IEPs by race/ethnicity in December 2018, June 2019, December 2019, and June 2020 data sets as compared to trends in general enrollment by race/ethnicity for those time periods for the district. The State collected and reviewed revised policies and procedures regarding comprehensive evaluation and Identification with further attention to district work on culturally responsive instruction and intervention. The district continues in training and technical assistance into 2021 to ensure sustained practices maintain the correction.

**Describe how the State verified that each *individual case of noncompliance* was corrected**

NA - No individual cases of noncompliance were identified.

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**9 - Prior FFY Required Actions**

**Response to actions required in FFY 2018 SPP/APR**

Based on a review of updated data subsequently collected through a State data system (June 2019 and June 2020 Child Count data), as well as updated data subsequently collected through the June 2020 Disproportionality Performance Report and Accelegrants system, the district has revised policies and procedures, trained on the new policies and procedures to ensure revised practices for the identification of children with disabilities particularly in the area of culturally appropriate practices with students who are Native American. The district participated in targeted technical assistance provided by RIDE as well as ongoing, embedded in-district training delivered by local experts in the education of Native American children and youth and connected to national TA and tools such as the Success Gaps Toolkit from the IDC, and the district is correctly implementing the specific regulatory requirements.

The State engaged in specific actions to verify the correction. The State examined trends in the number of students with IEPs by race/ethnicity in December 2018, June 2019, December 2019, and June 2020 data sets as compared to trends in general enrollment by race/ethnicity for those time periods for the district. The State collected and reviewed revised policies and procedures regarding comprehensive evaluation and Identification with further attention to district work on culturally responsive instruction and intervention. The district continues in training and technical assistance into 2021 to ensure sustained practices maintain the correction.

## **9 - OSEP Response**

## **9 - Required Actions**

## Indicator 10: Disproportionate Representation in Specific Disability Categories

### Instructions and Measurement

**Monitoring Priority:** Disproportionality

**Compliance indicator:** Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

#### Data Source

State's analysis, based on State's Child Count data collected under IDEA section 618, to determine if the disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification.

#### Measurement

Percent = [(# of districts, that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups, with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification) divided by the (# of districts in the State that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State's definition of "disproportionate representation." Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).

Based on its review of the 618 data for FFY 2019, describe how the State made its annual determination as to whether the disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum n and/or cell size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2019 reporting period (i.e., after June 30, 2020).

#### Instructions

Provide racial/ethnic disproportionality data for all children aged 6 through 21 served under IDEA, aggregated across all disability categories.

States are not required to report on underrepresentation.

If the State has established a minimum n and/or cell size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n and/or cell size. If the State used a minimum n and/or cell size requirement, report the number of districts totally excluded from the calculation as a result of this requirement because the district did not meet the minimum n and/or cell size for any racial/ethnic group.

Consider using multiple methods in calculating disproportionate representation of racial and ethnic groups to reduce the risk of overlooking potential problems. Describe the method(s) used to calculate disproportionate representation.

Provide the number of districts that met the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups identified with disproportionate representation of racial and ethnic groups in special education and related services and the number of those districts identified with disproportionate representation that is the result of inappropriate identification.

Targets must be 0%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 10 - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

#### Historical Data

Baseline Year	Baseline Data
2016	5.45%

FFY	2014	2015	2016	2017	2018
Target	0%	0%	0%	0%	0%
Data	0.00%	1.67%	5.45%	0.00%	0.00%

#### Targets

FFY	2019
Target	0%

#### FFY 2019 SPP/APR Data

Has the state established a minimum n and/or cell size requirement? (yes/no)

YES

If yes, the State may only include, in both the numerator and the denominator, districts that met the State-established n and/or cell size. Report the number of districts excluded from the calculation as a result of the requirement.

1

Number of districts with disproportionate representation of racial and ethnic groups in specific disability categories	Number of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification	Number of Districts that met the State's minimum n-size	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
8	0	61	0.00%	0%	0.00%	Met Target	No Slippage

Were all races and ethnicities included in the review?

YES

**Define "disproportionate representation." Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).**

Disproportionate Representation is defined as a risk ratio of 2.5 or higher for three consecutive years with a minimum n size of 5 students (step one) plus evidence of policies, procedures, and/or practices which result in inappropriate identification (step two). Evidence was collected from multiple sources: record reviews, onsite visits, district submissions in the consolidated resource plan including the disproportionality report online, and records of complaints, mediations, and hearings.

Step One: Using the criteria established above, the State determined that 8 school districts were identified as meeting the data threshold for disproportionate representation. While some districts did not meet the minimum cell size of 5 students of a particular race/ethnicity in special education, almost all districts met the n size for at least one race/ethnicity group in special education. Only 1 district (a small, newer charter school of a limited grade range) was excluded from examining disproportionate representation in special education and related services. There were 62 total districts and 1 was excluded due to cell size. (Step One)

Step Two: Determining if Disproportionate Representation is the Result of Inappropriate Identification

The State reviewed the child find, evaluation (including re-evaluation), and eligibility policies, procedures, and practices of the 8 districts identified in step 1 of the FFY2019 data review as having disproportionate representation to determine whether the disproportionate representation was the result of inappropriate identification. Evidence was collected from multiple sources:

On-site record review of individual student files which occur both as part of the School Support System of focused Monitoring and also as part of additional probes in response to disproportionality data.

Additional data probes in which districts reviewed individual student files for a group showing disproportionate representation to examine trends in age/grade of eligibility, current or former ELL status, mobility in and out of district, changes in eligibility category over time, and completion of a full and individual evaluation.

Onsite visits in which district general education and special education leadership, building principals, special education and general education teaching staff including ESL/bilingual staff, related service providers, parents and students are interviewed regarding child find, evaluation/re-evaluation, and eligibility practices, procedures, and policies. Visits include the review of previous action plans for addressing disproportionality and accompanying revisions of policies, procedures, and practices.

Review of required district submissions of a disproportionality root cause self-assessment and corresponding evidence documents in the June 2019 and 2020 Disproportionality Report of the Consolidated Resource Plans including updates to action plans and prevention and/or correction activities. District documents are uploaded for further review and may include forms, agendas, revised policies, new or revised procedures, etc.

Review of complaints, mediations, and hearings during FFY2019

As a result of its extensive verification process, the State found that 0 districts were noncompliant with the eligibility and evaluation requirements. Accordingly, the State determined that 0 of the 8 districts had disproportionate representation of racial and ethnic groups in special education and related services due to inappropriate identification. File reviews did not yield child specific findings of noncompliance

**Describe how the State made its annual determination as to whether the disproportionate overrepresentation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification.**

Step Two: Determining if Disproportionate Representation is the Result of Inappropriate Identification

The State reviewed the child find, evaluation (including re-evaluation), and eligibility policies, procedures, and practices of the 8 districts identified in step 1 of the FFY2019 data review as having disproportionate representation to determine whether the disproportionate representation was the result of inappropriate identification. Evidence was collected from multiple sources:

On-site record review of individual student files which occur both as part of the School Support System of focused Monitoring and also as part of additional probes in response to disproportionality data.

Additional data probes in which districts reviewed individual student files for a group showing disproportionate representation to examine trends in age/grade of eligibility, current or former ELL status, mobility in and out of district, changes in eligibility category over time, and completion of a full and



individual evaluation.

Onsite visits in which district general education and special education leadership, building principals, special education and general education teaching staff including ESL/bilingual staff, related service providers, parents and students are interviewed regarding child find, evaluation/re-evaluation, and eligibility practices, procedures, and policies. Visits include the review of previous action plans for addressing disproportionality and accompanying revisions of policies, procedures, and practices.

Review of required district submissions of a disproportionality root cause self-assessment and corresponding evidence documents in the June 2019 and 2020 Disproportionality Report of the Consolidated Resource Plans including updates to action plans and prevention and/or correction activities. District documents are uploaded for further review and may include forms, agendas, revised policies, new or revised procedures, etc.

Review of complaints, mediations, and hearings during FFY2019

As a result of its extensive verification process, the State found that 0 districts were noncompliant with the eligibility and evaluation requirements. Accordingly, the State determined that 0 of the 8 districts had disproportionate representation of racial and ethnic groups in special education and related services due to inappropriate identification. File reviews did not yield child specific findings of noncompliance.

**Provide additional information about this indicator (optional)**

NA

#### **Correction of Findings of Noncompliance Identified in FFY 2018**

<b>Findings of Noncompliance Identified</b>	<b>Findings of Noncompliance Verified as Corrected Within One Year</b>	<b>Findings of Noncompliance Subsequently Corrected</b>	<b>Findings Not Yet Verified as Corrected</b>
0	0	0	0

#### **Correction of Findings of Noncompliance Identified Prior to FFY 2018**

<b>Year Findings of Noncompliance Were Identified</b>	<b>Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR</b>	<b>Findings of Noncompliance Verified as Corrected</b>	<b>Findings Not Yet Verified as Corrected</b>

#### **10 - Prior FFY Required Actions**

None

#### **10 - OSEP Response**

#### **10 - Required Actions**

## Indicator 11: Child Find

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part B / Child Find

**Compliance indicator:** Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.

(20 U.S.C. 1416(a)(3)(B))

#### Data Source

Data to be taken from State monitoring or State data system and must be based on actual, not an average, number of days. Indicate if the State has established a timeline and, if so, what is the State's timeline for initial evaluations.

#### Measurement

- a. # of children for whom parental consent to evaluate was received.
  - b. # of children whose evaluations were completed within 60 days (or State-established timeline).
- Account for children included in (a), but not included in (b). Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.

Percent = [(b) divided by (a)] times 100.

#### Instructions

If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data, and if data are from the State's monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Note that under 34 CFR §300.301(d), the timeframe set for initial evaluation does not apply to a public agency if: (1) the parent of a child repeatedly fails or refuses to produce the child for the evaluation; or (2) a child enrolls in a school of another public agency after the timeframe for initial evaluations has begun, and prior to a determination by the child's previous public agency as to whether the child is a child with a disability. States should not report these exceptions in either the numerator (b) or denominator (a). If the State-established timeframe provides for exceptions through State regulation or policy, describe cases falling within those exceptions and include in b.

Targets must be 100%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 11 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2008	67.86%

FFY	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%
Data	99.56%	99.24%	99.84%	99.21%	99.35%

### Targets

FFY	2019
Target	100%

### FFY 2019 SPP/APR Data

(a) Number of children for whom parental consent to evaluate was received	(b) Number of children whose evaluations were completed within 60 days (or State-established timeline)	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
2,831	2,804	99.35%	100%	99.05%	Did Not Meet Target	No Slippage

**Number of children included in (a) but not included in (b)**

27

**Account for children included in (a) but not included in (b). Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.**

In School year 2019-2020 there were (2831-2804=27) 27 children whose evaluations were not completed within 60 day timeline. These 27 children were included in (a) Number of children for whom parent consent to evaluate was received but not included in (b) Number of children whose evaluations were completed within 60 days. There were 27 children who did not receive a timely initial evaluation.

The range of days beyond the timeline when the evaluation was completed was between 1 and 131 days over the 60 day timeline. The system requires local education agencies to provide an explanation for any child's "Date Last Assessment/Evaluation Was Completed" exceeds the 60 day time line. Explanations from the local education agencies were as follows: 'Due to Covid 19', 'multiple attempts made', 'Psychologist rescheduled 3 times', 'outside report was late' and, 'frequent student absences'.

**Indicate the evaluation timeline used:**

The State used the 60 day timeframe within which the evaluation must be conducted

**What is the source of the data provided for this indicator?**

State database that includes data for the entire reporting year

**Describe the method used to collect these data, and if data are from the State's monitoring, describe the procedures used to collect these data.**

The Rhode Island Department of Education utilizes a web-based eRIDE Special Education Evaluation System to annually collect data for reporting purposes on Indicator 11. This system is inclusive of all applicable local education agencies. Data is not obtained by sampling. The eRIDE Special Education Evaluation System was modified to meet the simplified measurement of Indicator 11.

To ensure that the data is accurate, reliable and valid, the system has built in reports, tools and required documentation to assist the local education agencies with the reporting requirements. The system validates the data upon input into the system via data validation rules to ensure that the data is within system specifications. The system has built in maintenance reports, to ensure the data is cleaned, accurate and reliable. Rhode Island Department of Education provides local education agency personnel with technical assistance and professional development opportunities to ensure ease of use of the system and data reliability.

The system has verifying mechanisms that were developed to ensure that local education agencies are reporting all relevant students and not only those students whose initial evaluation data falls within the 100% compliance rate. The first method starts with the current Special Education Census System (state wide database). The current school year's Special Education Census is compared with the previous year's Special Education Census. Any student who only appears in the current year's Special Education Census (state wide database) and was not reported in the previous year's Special Education Census, is listed on Maintenance Report 42. Report 42 captures students who are Not in the June 2019 Special Education Census and currently in the Special Education Census without an Evaluation Record. This maintenance report appears on the two separate systems- the current eRIDE Special Education Census as well as on the eRIDE Special Education Evaluation System (Indicator 11). All students on Maintenance Report 42 must be accounted for on the eRIDE Special Education Evaluation System by their local education agency. Until the local education agency accounts for all students on Report 42, by recording the student appropriately on the Special Education Evaluation System, the student will continue to appear on Maintenance Report 42. The logic behind this report is simple, any student who appears only on the current Special Education Census, most likely had an initial evaluation recently and was determined eligible for special education services, but was not recorded.

Another feature of the Special Education Evaluation System is the quarterly reporting. The Special Education Evaluation System generates cumulative Local Education Agency Percentage Rate Report, the Randomly Selected Student Record Report and the Students Missing Data reports. The system automatically emails these reports to the appropriate personnel in each local education agency. Rhode Island Department of Education's Data Manager is automatically sent a cumulative summary of all of these reports for review. These automated features have improved efficiency and serve as a reminder for the local education agency to review their data reporting and they are required to submit the appropriate documentation to Rhode Island Department of Education. The following requirements for each local education agency are as follows:

- 1) Each local education agency must submit a District Action Plan to Rhode Island Department of Education. Each quarter the local education agency must review their District Action Plan. If the local education agency is not at 100% compliance, the local education agency must add or revise steps to the District Action Plan to explain what modifications or additional steps they will implement to ensure 100% compliance.
2. The Special Education Evaluation System generates an Indicator 11 report for each local education agency with their cumulative percentage rate of compliance at the close of each quarter. This report is automatically emailed to each local education agency for review.
3. In turn, the local education agency is required to submit a Quarterly Report to Rhode Island Department of Education inclusive of their cumulative percentage rate at that point in time and status of their District Action Plan. If the local education agency has met 100% compliance, no revisions are required to their District Action Plan for that quarter. The local education agency simply records their percentage rate on the appropriate quarterly report and checks off a box that states "I have reached 100% compliance and will maintain my District Action Plan and will not add or revise any action steps this quarter". If a local education agency has not met 100% compliance revisions to the District Action Plan are required. The local education agency simply records their percentage rate of noncompliance on the appropriate quarterly report, checks off the box that states "I have NOT reached 100% compliance and will revise my District Action Plan as follows by adding or revising the following steps" in order to meet 100% compliance. A local education agency is required to revise or add steps to their District Action plan each quarter as to ensure the local education agency is focused on the present data in the system and has a plan toward the target of 100% compliance on Indicator 11 by the close of the year. This Quarterly Report is dated and submitted to Rhode Island Department of Education by the Special Education Administrator from each local education agency at the end of every quarter. The local education agencies who were 100% compliance in the previous school year receive their Quarterly Report via email each quarter, but they are exempted from the Quarterly Report submitted to Rhode Island Department of Education.
4. The Special Education Evaluation System generates and emails to each local education agency, a Student Record Verification report each quarter, which randomly selects students that were entered on the Special Education Evaluation System. The local education agency is required to submit a Quarterly Student Record Verification Sheet on the selected students to Rhode Island Department of Education, in order to verify the student information entered on the system. (Those local education agencies who were 100% compliant in the previous school year are exempt from this student record verification requirement.) The Student Record Verification Sheet submitted from the local education agency to Rhode Island Department of Education includes a summary of the student information for the selected students and the relevant supporting documentation. This verification method is utilized to ensure accuracy and reliability of the data on the system for the local education agencies. In addition, during Rhode Island Department of Education School Support System visits to the local education agencies, a number of student records are selected for review and verification. This verification of selected student records is another effort utilized to ensure a comprehensive and reliable data system.

**Provide additional information about this indicator (optional)**

5. The Special Education Evaluation System generates and emails to the local education agency each quarter the Report of Students Missing Data. This report serves two purposes. It is a reminder that there are students on the system who are still in the process and their evaluations have not been completed or the data was not yet recorded on the system. The report displays the number of days since the 'date of receipt of the parental consent' to the date the report was generated. Local education agencies can use this report to ensure they are staying within the 60 day time line for each student.

The data is collected electronically via the eRIDE Special Education Evaluation System on July 30th to allow a month beyond the completion of the school year to ensure that all pertinent data is recorded. In a case where a child's evaluation information has not been completed and the child's data is still in process when the data is collected, their records are not closed out on the system, but carried forward until the evaluation process is completed and the completion date is entered into the Special Education Evaluation System. This useful function is built into the database itself. The data is reviewed by the Rhode Island Department of Education on a quarterly basis and reminders are sent to Special Education Administrators to address such scenarios. Special Education Administrators have access to their local education agency's time line information on a daily basis via the eRIDE system. The eRIDE Special Education Evaluation System provides each local education agency with an Indicator 11 report which displays their percentage rate of compliance at any given time. This affords each local education agency to be apprised of their compliance rate at any time during the school year.

#### Correction of Findings of Noncompliance Identified in FFY 2018

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
9	9	0	0

#### FFY 2018 Findings of Noncompliance Verified as Corrected

##### Describe how the State verified that the source of noncompliance is correctly implementing the regulatory requirements

There are no remaining findings of noncompliance from previous APR reporting periods. All noncompliance has been corrected within the required timeline. The state has verified that the local education agencies are correctly implementing the regulatory requirements of 34 CFR Section 300.301 (c)(1)(i.e. achieved 100% compliance) based upon the review of updated data subsequently collected through the eRIDE Special Education Evaluation data system and has completed the evaluation, although late, for any child whose initial evaluation was not timely, unless the child is no longer in the jurisdiction of the local education agencies, consistent with OSEP Memorandum 09-02.

##### Describe how the State verified that each individual case of noncompliance was corrected

The State verified that the local education agency corrected each individual case of noncompliance through eRIDE Special Education Evaluation System. The State engaged in specific actions to verify the correction. The State provided a template for the District's Action Plan which specified technical assistance and training needed to enable the schools and district to correct policies and procedures for the identification of students with disabilities to determine eligibility for special education and related services within the 60 day evaluation timeline. Resources were identified and made available to the district to assist in carrying out the District's Action Plan.

The system has verifying mechanisms that were developed to ensure that all individual cases in local education agencies are reported and all relevant students, not only those students whose initial evaluation data falls within 100% compliance rate are reported in the system. The current school year's special education census is compared with the previous year's special education census. Any student who only appears in the current special education census (statewide data base) and was not reported in the previous year's special education census, is listed on Maintenance Report 42 which captures students who were not reported in the June 2019 special education census and currently in the special education census without an Evaluation Record. This Maintenance Report 42 appears on two separate systems; (1) the current eRIDE special education census, as well as, on the (2) eRIDE Special Education Evaluation System (Indicator 11). Each individual student on Maintenance Report 42 must be accounted for on the eRIDE Special Education Evaluation System by their local education agency. Until the local education agency accounts for each individual student listed on Maintenance Report 42 (by recording the student appropriately on the Special Education Evaluation System) the student will continue to appear on the Maintenance Report 42. The logic behind this report is simple; any student who appears only on the current special education census most likely had an initial evaluation recently and was determined eligible for special education services and was not recorded.

Another feature of the Special Education Evaluation System is the quarterly reporting. The Special Education Evaluation System generates a cumulative Local Education Agency Percentage Rate Report, the Randomly Selected Student Record Report and the Student Missing Data Reports. The system automatically sends emails of these reports to the appropriate personnel in each local education agency. Rhode Island Department of Education's Data Manager is automatically sent a cumulative summary of all of the reports of each individual student to review. These automated features have improved efficiency and serve as a reminder for the local education agency to review their data reporting and they are required to submit the appropriate documentation to the Rhode Island Department of Education.

#### Correction of Findings of Noncompliance Identified Prior to FFY 2018

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

#### 11 - Prior FFY Required Actions

None

#### 11 - OSEP Response

#### 11 - Required Actions

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2019 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

## Indicator 12: Early Childhood Transition

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part B / Effective Transition

**Compliance indicator:** Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

(20 U.S.C. 1416(a)(3)(B))

#### Data Source

Data to be taken from State monitoring or State data system.

#### Measurement

- a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.
- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.
- e. # of children determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays.
- f. # of children whose parents chose to continue early intervention services beyond the child's third birthday through a State's policy under 34 CFR §303.211 or a similar State option.

Account for children included in (a), but not included in b, c, d, e, or f. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed, and the reasons for the delays.

Percent = [(c) divided by (a - b - d - e - f)] times 100.

#### Instructions

If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data, and if data are from the State's monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Category f is to be used only by States that have an approved policy for providing parents the option of continuing early intervention services beyond the child's third birthday under 34 CFR §303.211 or a similar State option.

Targets must be 100%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 12 - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

#### Historical Data

Baseline Year	Baseline Data
2005	60.00%

FFY	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%
Data	98.94%	99.45%	99.50%	98.87%	98.40%

#### Targets

FFY	2019
Target	100%

#### FFY 2019 SPP/APR Data

a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination.	1,065
b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday.	213

c. Number of those found eligible who have an IEP developed and implemented by their third birthdays.	756
d. Number for whom parent refusals to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.	69
e. Number of children who were referred to Part C less than 90 days before their third birthdays.	6
f. Number of children whose parents chose to continue early intervention services beyond the child's third birthday through a State's policy under 34 CFR §303.211 or a similar State option.	0

Measure	Numerator (c)	Denominator (a-b-d-e-f)	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
Percent of children referred by Part C prior to age 3 who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	756	777	98.40%	100%	97.30%	Did Not Meet Target	Slippage

**Provide reasons for slippage, if applicable**

Although districts have policies and procedures in place to ensure eligible children transitioning from EI are in service by their 3rd birthday, when schools were closed without warning in the spring, the closure, unfortunately, caused a small number of delays. During these early days of the pandemic, districts worked diligently to create the vehicles, practices, and training to implement virtual assessments, hold virtual meetings, and determine how to provide instruction through distance-learning. RIDE provided almost immediate support, reinforcing the ongoing requirements and offering suggestions for moving to virtual meetings, assessments, and service. Such support was offered via two virtual meetings for LEAs and FAQ information disseminated to districts and posted on the RIDE website. The slippage occurred as a direct result of the unforeseen school closures due to the pandemic. Referral, eligibility, and IEP meetings, along with assessments that were scheduled to be held during the closure, needed to be canceled. Although they were rescheduled virtually, RI witnessed an increased number of delays. To ensure accuracy in data and due to COVID, RIDE allowed districts to delay the submission of data until the fall. This extension allowed LEAs to ensure data completion before submission and RIDE to report on a complete and accurate data set.

**Number of children who served in part C and referred to Part B for eligibility determination that are not included in b, c, d, e, or f**

21

**Account for children included in (a), but not included in b, c, d, e, or f. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed, and the reasons for the delays.**

The data below represents the 21 students from 7 LEAs who did not have an IEP developed and implemented by their 3rd birthdays.

2 children delayed due to a LATE EVALUATION: (1) <10 days & (1) 41-60 days

6 children delayed due to COVID: (2) <10 days, (1) 10-20 days, (2) 21-30 & (1) 31-40 days

12 children delayed due to LATE EI REFERRAL TO LEA: (2) <10 days, (1) 10-20 days, (3) 31-40, (3) 41-60 & (3) >60 days

1 child delayed due to PARENT/LEA AGREEMENT TO DELAY: (1) >60 days

**Attach PDF table (optional)**

**What is the source of the data provided for this indicator?**

State monitoring

**Describe the method used to collect these data, and if data are from the State's monitoring, describe the procedures used to collect these data.**

The RI Department of Education (RIDE) uses the Preschool Performance Report, one of the LEA applications for federal funds, to collect data for this indicator. In 2007, an electronic Consolidated Resource Plan (CRP) was developed and implemented. It was specifically designed to collect the number of children whose transition from Part C to Part B was delayed and the reason for those delays. In 2009 the CRP was modified to more accurately align and report data regarding delay factors and corresponding lengths of delays. Again in 2012, the CRP was altered and separated into several more manageable applications, including today's preschool performance report. The Executive Office of Health & Human Services (EOHHS), the current lead agency for Part C, shares LEA notification data monthly due to notification requirements and to assist RIDE in identifying students found eligible for Part C less than 90 days before their birthday. This data can now be paired with RIDE data, and a unique student identifier (SASID) identified. This significantly decreased the necessary effort to identify the children who do not have an IEP developed and implemented by their third birthdays and increased the reliability of the data collected and reported.

**Provide additional information about this indicator (optional)**

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
4	2	0	2

**FFY 2018 Findings of Noncompliance Verified as Corrected**

Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements*

Each of the four (4) LEAs identified as out of compliance in the FFY 2018 findings were contacted individually and in writing by the Rhode Island Department of Education (RIDE). The LEAs were required to analyze barriers to compliance and develop a corrective action plan addressing the data collection quality and prevention of delayed transitions. LEAs were required to submit these plans specifying goals, improvement activities, date of implementation, and monitoring strategies. In addition, RIDE offered technical assistance to support the districts in identifying the barriers to 100% compliance, recognizing necessary changes in protocol, using a tracking form, and coordinating with early intervention programs. These corrective action plans were reviewed and approved by the department. RIDE used the data available in the most recent preschool performance report (FFY 2019) to confirm that each district out of compliance in the previous year is now implementing 34 CFR § 300.124 (b) and achieving 100% compliance. According to the FFY 2019 data, two (2) of the four (4) LEAs are now correctly implementing 34 CFR § 300.124 (b) and have reached 100% compliance. The other two (2) LEAs reached 90% and 92% compliance. Although the two LEAs continue to demonstrate non-compliance in the FFY 2019 data, it must be noted that the closing of school buildings and the need to recreate policies and procedures for virtual meetings, assessments, and service happened suddenly and without warning. Although districts now have systems in place to maintain compliance, the pandemic's sudden onset caused these two districts to again be out of compliance. RIDE has provided TA to these districts to ensure that they can implement IEPs by each child's third birthday, regardless of COVID complications, and will continue to monitor compliance moving forward.

**Describe how the State verified that each individual case of noncompliance was corrected**

RIDE used the data districts entered in the preschool performance reports to confirm that each individual case of non-compliance had been corrected. As reported, thirteen (13) children in the FFY 2018 were found eligible for Part B but did not have an IEP developed and implemented by their 3rd birthdays due to delay factors not allowed by OSEP. Through the data provided in the FFY 2018 preschool performance report, the state verified that each of these LEAs corrected the individual cases of noncompliance. For any child with whom implementation was not timely, the districts are required to report the specific delay factor and the corresponding length of time until the individual IEPs were implemented. RIDE has verified that each individual case of non-compliance in the 2018 FFY findings was corrected and that all 13 children, although late, had an IEP developed and implemented.

**FFY 2018 Findings of Noncompliance Not Yet Verified as Corrected**

**Actions taken if noncompliance not corrected**

The two (2) districts identified above, who were out of compliance in FFY 2018 and are not yet in compliance, will participate in individualized technical assistance during the upcoming year. This TA will provide the necessary support to analyze barriers, including those caused by the pandemic, and to identify essential protocol changes. The LEAs will develop detailed and specific corrective action plans addressing the identified issues. The plans will include specific goals, improvement activities, dates of implementation, and monitoring strategies. The RI Department of Education will ensure that the plans meet all requirements and monitor the plans' application throughout the year.

It is important to recognize that RIDE has verified that each individual case of noncompliance identified in FFY 2018 was corrected and that each child, although late, had an IEP developed and implemented

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**12 - Prior FFY Required Actions**

None

**12 - OSEP Response**

**12 - Required Actions**

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. In addition, the State must demonstrate, in the FFY 2020 SPP/APR, that the remaining two uncorrected findings of noncompliance identified in FFY 2018 were corrected. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2019 and each LEA with remaining noncompliance identified in FFY 2018 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.



## Indicator 13: Secondary Transition

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part B / Effective Transition

**Compliance indicator:** Secondary transition: Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

(20 U.S.C. 1416(a)(3)(B))

#### Data Source

Data to be taken from State monitoring or State data system.

#### Measurement

Percent =  $\left( \frac{\text{[# of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority]}}{\text{[# of youth with an IEP age 16 and above]}} \right) \times 100$ .

If a State's policies and procedures provide that public agencies must meet these requirements at an age younger than 16, the State may, but is not required to, choose to include youth beginning at that younger age in its data for this indicator. If a State chooses to do this, it must state this clearly in its SPP/APR and ensure that its baseline data are based on youth beginning at that younger age.

#### Instructions

If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data and if data are from the State's monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Targets must be 100%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 13 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2009	98.21%

FFY	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%
Data	99.98%	99.94%	99.96%	99.90%	99.98%

### Targets

FFY	2019
Target	100%

### FFY 2019 SPP/APR Data

Number of youth aged 16 and above with IEPs that contain each of the required components for secondary transition	Number of youth with IEPs aged 16 and above	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
5,056	5,057	99.98%	100%	99.98%	Did Not Meet Target	No Slippage

What is the source of the data provided for this indicator?

State database that includes data for the entire reporting year

**Describe the method used to collect these data, and if data are from the State's monitoring, describe the procedures used to collect these data.**

Overview of Indicator 13: Rhode Island's Collaborative System of Tiered Monitoring: School Support System (SSS) incorporates a variety of instruments and procedures that are utilized to ensure compliance with state and federal laws and regulations. Currently, Rhode Island examines student records through this process and completion of the transition page of the Rhode Island Individualized Education Plan (IEP) is part of the record review. Reviewers will look at a sample of student records on monitoring visits and will record the completion of IDEA and state required information. If required information is missing, the district will be notified of non-compliance and improvement plans/corrective actions will be undertaken. Prior to IDEA 2004, Rhode Island required that the transition goals on the IEP be student driven (based on student's preferences and interest) and were linked to annual goals and objectives (where appropriate). Rhode Island did not centralize the collection of this specific data but would use the results in reporting to the district for compliance and improvement. Rhode Island has chosen not to utilize the SSS to obtain data for Indicator 13. There are simply not enough records reviewed annually in this small state to draw reasonable conclusions about all districts compliance on this indicator. However, RIDE utilizes the special education census as a means to monitor compliance with this indicator for all students. As the data is collected by each district's IEP forms and entered into the RIDE census data system, RIDE has been able to target LEA's with poor compliance for this indicator and provide targeted interventions. Training and technical assistance has continued. Additional maintenance reports added to the special education census system are available to assist LEA's in assuring compliance with all measures of this indicator. (The Rhode Island state IEP form and instructions may be viewed at: [http://www.ride.ri.gov/Portals/0/Uploads/Documents/OSCAS/RI-Secondary-IEP-form\\_4.pdf](http://www.ride.ri.gov/Portals/0/Uploads/Documents/OSCAS/RI-Secondary-IEP-form_4.pdf)) (See Attachment- Rhode Island IEP Page Item Information reported) Through the RIDE School Support System focused monitoring process, RIDE has always monitored LEAs for compliance with the secondary transition requirements of IDEA. This has been completed through record review, student and parent interview and on-site monitoring. LEAs with issues of noncompliance for the transition requirements are notified in the School Support report and are provided a deadline for compliance. RIDE schedules a follow-up verification review to ensure compliance with noncompliant items based on the nature of the issue, but no more than one year from the release of the report. For measures not included in the special education census for Indicator 13 such as the actual invitation of the student to the IEP meeting (form or letter) and parent/student consent for the representative of a participating agency to attend the IEP meeting (consent form); these will continue to be monitored through the School Support System focused monitoring process. Rhode Island continues to improve capacity to collect Indicator 13 data through the state special education census. The Regional Transition (Technical Assistance) Centers continue to assist the state in the collection of qualitative evidence on the LEAs results on I-13 in coordination with the state's School Support System. The purpose of the on site evaluation of I-13 evidence is twofold; (a) to verify the data as reported in the special education census related to I-13, (b) identify possible technical assistance needs with the LEA. A rubric was developed based on the NTACT (formerly NSTAC) I-13 checklist and was piloted in the spring of 2010, revised in 2011 with full implementation starting in Fall 2012. LEA's report that the use of the rubric has effectively assisted in the quality analysis and improvement of student's IEPs.

FFY 2019 (2019 - 2020 SY): For 2019-2020 SY, one record/finding was non-compliant in one or more transition requirements as of June 30, 2020. This record has already been brought into compliance as of February 2021. This record/finding was corrected and verified as compliant by RIDE. The one affected district submitted an updated and corrected, compliant IEP for the initially non-compliant IEP. Based on subsequent collection and review for 2019-2020 SY every district is correctly implementing the regulatory requirements of 34 CFR 300.320 (b) and 300.321 (b), achieving 100% compliance. Compliance has been excellent, having progressed from 98.21% baseline to 99.98% in 2020.

Question	Yes / No
Do the State's policies and procedures provide that public agencies must meet these requirements at an age younger than 16?	YES
If yes, did the State choose to include youth at an age younger than 16 in its data for this indicator and ensure that its baseline data are based on youth beginning at that younger age?	NO

**If no, please explain**

Baseline data is only based on youth starting at age 16 to align with the federal requirement.

**Provide additional information about this indicator (optional)**

In addition to stakeholder input from the Rhode Island Special Education Advisory Committee on this indicator, there is stakeholder input from the State Transition Council. The State Transition Council which is an interagency council inclusive of State Agency Representatives, Parent & Advocacy organizations, Special Education Administrators & Transition Specialists and educators to support and advise the collaborative work in secondary transition to improve students post school outcomes. Stakeholder input is also collected from the Regional Transition Centers through the Regional Transition Advisory Committee's (TACs). The TACs consist of middle & high school educators, transition counselors, representatives from the Office of Rehabilitation Services and the State office of Division of Developmental Disabilities. Stakeholder input from these individuals has been critical as they are often the front line staff who work directly with students.

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
1	1	0	0

**FFY 2018 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the regulatory requirements**

The one record has been brought into compliance as of February 2020. This record/finding was corrected and verified as compliant by RIDE. The affected district was required to submit an updated and compliant IEP for the initially non-compliant IEP. Based on subsequent collection and review for the FFY 2018 every district is correctly implementing the regulatory requirements of 34 CFR 300.320 (b) and achieving 100% compliance.

**Describe how the State verified that each individual case of noncompliance was corrected**

The one record has been brought into compliance as of February 2020. This record/finding was corrected and verified as compliant by RIDE. The affected district was required to submit an updated and compliant IEP for the initially non-compliant IEP. Based on subsequent collection and review for the FFY 2018 every district is correctly implementing the regulatory requirements of 34 CFR 300.320 (b) and achieving 100% compliance.

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

### 13 - Prior FFY Required Actions

None

### 13 - OSEP Response

#### 13 - Required Actions

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2019 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

## Indicator 14: Post-School Outcomes

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part B / Effective Transition

**Results indicator:** Post-school outcomes: Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

Enrolled in higher education within one year of leaving high school.

Enrolled in higher education or competitively employed within one year of leaving high school.

Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

(20 U.S.C. 1416(a)(3)(B))

#### Data Source

State selected data source.

#### Measurement

A. Percent enrolled in higher education =  $\left[ \frac{\text{(\# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school)}}{\text{(\# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)}} \right] \times 100$ .

B. Percent enrolled in higher education or competitively employed within one year of leaving high school =  $\left[ \frac{\text{(\# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school)}}{\text{(\# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)}} \right] \times 100$ .

C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment =  $\left[ \frac{\text{(\# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment)}}{\text{(\# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)}} \right] \times 100$ .

#### Instructions

*Sampling of youth who had IEPs and are no longer in secondary school is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates of the target population. (See [General Instructions](#) on page 2 for additional instructions on sampling.)*

Collect data by September 2020 on students who left school during 2018-2019, timing the data collection so that at least one year has passed since the students left school. Include students who dropped out during 2018-2019 or who were expected to return but did not return for the current school year. This includes all youth who had an IEP in effect at the time they left school, including those who graduated with a regular diploma or some other credential, dropped out, or aged out.

#### I. Definitions

*Enrolled in higher education* as used in measures A, B, and C means youth have been enrolled on a full- or part-time basis in a community college (two-year program) or college/university (four or more year program) for at least one complete term, at any time in the year since leaving high school.

*Competitive employment* as used in measures B and C: States have two options to report data under "competitive employment" in the FFY 2019 SPP/APR, due February 2021:

Option 1: Use the same definition as used to report in the FFY 2015 SPP/APR, i.e., competitive employment means that youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.

Option 2: States report in alignment with the term "competitive integrated employment" and its definition, in section 7(5) of the Rehabilitation Act, as amended by Workforce Innovation and Opportunity Act (WIOA), and 34 CFR §361.5(c)(9). For the purpose of defining the rate of compensation for students working on a "part-time basis" under this category, OSEP maintains the standard of 20 hours a week for at least 90 days at any time in the year since leaving high school. This definition applies to military employment.

*Enrolled in other postsecondary education or training* as used in measure C, means youth have been enrolled on a full- or part-time basis for at least 1 complete term at any time in the year since leaving high school in an education or training program (e.g., Job Corps, adult education, workforce development program, vocational technical school which is less than a two-year program).

*Some other employment* as used in measure C means youth have worked for pay or been self-employed for a period of at least 90 days at any time in the year since leaving high school. This includes working in a family business (e.g., farm, store, fishing, ranching, catering services, etc.).

#### II. Data Reporting

Provide the actual numbers for each of the following mutually exclusive categories. The actual number of "leavers" who are:

1. Enrolled in higher education within one year of leaving high school;
2. Competitively employed within one year of leaving high school (but not enrolled in higher education);
3. Enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed);
4. In some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed).

"Leavers" should only be counted in one of the above categories, and the categories are organized hierarchically. So, for example, "leavers" who are enrolled in full- or part-time higher education within one year of leaving high school should only be reported in category 1, even if they also happen to be employed. Likewise, "leavers" who are not enrolled in either part- or full-time higher education, but who are competitively employed, should only be reported under category 2, even if they happen to be enrolled in some other postsecondary education or training program.

#### III. Reporting on the Measures/Indicators

Targets must be established for measures A, B, and C.

Measure A: For purposes of reporting on the measures/indicators, please note that any youth enrolled in an institution of higher education (that meets any definition of this term in the Higher Education Act (HEA)) within one year of leaving high school must be reported under measure A. This could include youth who also happen to be competitively employed, or in some other training program; however, the key outcome we are interested in here is enrollment in higher education.

Measure B: All youth reported under measure A should also be reported under measure B, in addition to all youth that obtain competitive employment within one year of leaving high school.

Measure C: All youth reported under measures A and B should also be reported under measure C, in addition to youth that are enrolled in some other postsecondary education or training program, or in some other employment.

Include the State's analysis of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school. States should consider categories such as race and ethnicity, disability category, and geographic location in the State.

If the analysis shows that the response data are not representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics. In identifying such strategies, the State should consider factors such as how the State collected the data.

## 14 - Indicator Data

### Historical Data

Measure	Baseline	FFY	2014	2015	2016	2017	2018
A	2009	Target >=	38.00%	39.00%	40.00%	41.00%	42.00%
A	33.00%	Data	30.42%	31.33%	28.43%	29.03%	32.05%
B	2009	Target >=	72.00%	73.00%	74.00%	75.00%	76.00%
B	67.00%	Data	69.71%	64.70%	70.01%	69.43%	65.38%
C	2009	Target >=	83.00%	84.00%	85.00%	86.00%	87.00%
C	78.00%	Data	84.73%	84.44%	80.49%	79.47%	77.19%

### FFY 2019 Targets

FFY	2019
Target A >=	43.00%
Target B >=	77.00%
Target C >=	88.00%

### Targets: Description of Stakeholder Input

Rhode Island Department of Education (RIDE) first compiled and analyzed data for the development of the State Performance Plan (SPP) and Annual Performance Report (APR) utilizing the expertise of internal personnel. A draft along with the data was reviewed with the Rhode Island Special Education Advisory Committee (RISEAC). RISEAC (a) advises the Commissioner and Board of Regents for Elementary and Secondary Education on matters concerning the unmet educational needs of children with disabilities; (b) comments publicly on any rules or regulations proposed by the State regarding the education of children with disabilities; (c) advises the Rhode Island Department of Education in developing evaluations and reporting on data to the Secretary under section 618 of the IDEA; (d) advises RIDE in developing corrective action plans to address findings identified in Federal Monitoring Reports under Part B of the IDEA; and (e) advises the RIDE in developing and implementing policies relating to the coordination of services for children with disabilities. Membership of the committee is composed of individuals involved in or concerned with the education of children with disabilities. Parents of children with disabilities birth through 26 maintain the majority of the Committee Membership. The Membership also includes individuals with disabilities, teachers, representatives of institutions of higher education, private schools, charter schools, state and local education officials, administrators of programs for children with disabilities foster care and homelessness, vocational, community or business organizations, juvenile and adult corrections and State Child Serving Agencies. The RISEAC reviews the draft and provides suggestions and input. These are considered and, as appropriate, incorporated into the final copy of the SPP. Progress and slippage in meeting the targets in the SPP are discussed in detail regarding each indicator submitted to OSEP. All indicators are publicly available on the RIDE website at the following link:

<https://www.ride.ri.gov/InformationAccountability/Accountability/StatePerformancePlan.aspx> Each year RIDE publicly reports per 34 CFR 300.602(b)(1)(i)(A). Per OSEP, this typically occurs the first week of June. The link for accessing Rhode Island's public reporting information, which details the performance of each LEA on the targets in the SPP is as: [http://www.eride.ri.gov/SPED\\_PublicReporting/](http://www.eride.ri.gov/SPED_PublicReporting/)

In addition to stakeholder input from the Rhode Island Special Education Advisory Committee on this indicator, there is stakeholder input from the State Transition Council. The State Transition Council which is an interagency council inclusive of State Agency Representatives, Parent & Advocacy organizations, Special Education Administrators & Transition Specialists and educators to support and advise the collaborative work in secondary transition to improve students post school outcomes. Stakeholder input is also collected from the Regional Transition Centers through the Regional Transition Advisory Committee's (TACs). The TACs consist of middle & high school educators, transition counselors, representatives from the Office of

Rehabilitation Services and the State office of Division of Developmental Disabilities. Stakeholder input from these individuals has been critical as they are often the front line staff who work directly with students.

#### FFY 2019 SPP/APR Data

Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school	834
1. Number of respondent youth who enrolled in higher education within one year of leaving high school	275
2. Number of respondent youth who competitively employed within one year of leaving high school	128
3. Number of respondent youth enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed)	63
4. Number of respondent youth who are in some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed).	191

Measure	Number of respondent youth	Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A. Enrolled in higher education (1)	275	834	32.05%	43.00%	32.97%	Did Not Meet Target	No Slippage
B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2)	403	834	65.38%	77.00%	48.32%	Did Not Meet Target	Slippage
C. Enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment (1+2+3+4)	657	834	77.19%	88.00%	78.78%	Did Not Meet Target	No Slippage

Part	Reasons for slippage, if applicable
B	RI saw a slight increase in students enrolled in Higher Education. Some Other Employment increased by 17% while the percentage of youth Competitively Employed decreased. Based on survey responses, many youth were reported being competitively employed in an integrated setting but may not have met all other criteria for this measurement (ie. Unsure if eligible for pay raise or promotion), thus capturing these student in the category of Some Other Employment. RI also saw an increase of 3% in Other Postsecondary Education or Training Programs as well as an increase in Measurement C, Overall Engagement Rate by 2% from the previous year.

#### Please select the reporting option your State is using:

Option 2: Report in alignment with the term “competitive integrated employment” and its definition, in section 7(5) of the Rehabilitation Act, as amended by Workforce Innovation and Opportunity Act (WIOA), and 34 CFR §361.5(c)(9). For the purpose of defining the rate of compensation for students working on a “part-time basis” under this category, OSEP maintains the standard of 20 hours a week for at least 90 days at any time in the year since leaving high school. This definition applies to military employment.

Sampling Question	Yes / No
Was sampling used?	NO

Describe the sampling methodology outlining how the design will yield valid and reliable estimates.

Survey Question	Yes / No
Was a survey used?	YES
If yes, is it a new or revised survey?	NO

**Include the State's analyses of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school.**

See the National Post School Outcomes Response Calculator regarding Representativeness under Attachments. Use of the NPSO Response Calculator indicates that the response data is representative of the demographics of youth who are no longer in school and had IEPs in effect at the time they exited school. Additionally, post school outcomes by geographic location was also considered and is representative of the Target Leaver Groups. Rhode Island uses the results of the NPSO calculator and analysis to support state, regional and local targeted technical assistance and training as appropriate.

Question	Yes / No
Are the response data representative of the demographics of youth who are no longer in school and had IEPs in effect at the time they left school?	YES

**Provide additional information about this indicator (optional)**

RI's Survey Response Rate was 73% and was representative of the demographics of youth who are no longer in school and had IEPs in effect at the time they exited school. It should also be noted that the overall respondent engagement rate demonstrates an increase of 2% from FFY 2018 reflecting RI's efforts in continuing to improve the implementation of post-school outcome strategies and evidenced based practices.

## 14 - Prior FFY Required Actions

None

## 14 - OSEP Response

## 14 - Required Actions

## Indicator 15: Resolution Sessions

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part B / General Supervision

**Results Indicator:** Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. (20 U.S.C. 1416(a)(3)(B))

#### Data Source

Data collected under section 618 of the IDEA (IDEA Part B Dispute Resolution Survey in the EDFacts Metadata and Process System (EMAPS)).

#### Measurement

Percent = (3.1(a) divided by 3.1) times 100.

#### Instructions

Sampling is not allowed.

Describe the results of the calculations and compare the results to the target.

States are not required to establish baseline or targets if the number of resolution sessions is less than 10. In a reporting period when the number of resolution sessions reaches 10 or greater, develop baseline, targets and improvement activities, and report on them in the corresponding SPP/APR.

States may express their targets in a range (e.g., 75-85%).

If the data reported in this indicator are not the same as the State's data under IDEA section 618, explain.

States are not required to report data at the LEA level.

## 15 - Indicator Data

Select yes to use target ranges

Target Range not used

### Prepopulated Data

Source	Date	Description	Data
SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/04/2020	3.1 Number of resolution sessions	7
SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/04/2020	3.1(a) Number resolution sessions resolved through settlement agreements	3

Select yes if the data reported in this indicator are not the same as the State's data reported under section 618 of the IDEA.

NO

### Targets: Description of Stakeholder Input

Rhode Island Department of Education (RIDE) first compiled and analyzed data for the development of the State Performance Plan (SPP) and Annual Performance Report (APR) utilizing the expertise of internal personnel. A draft along with the data was reviewed with the Rhode Island Special Education Advisory Committee (RISEAC). RISEAC (a) advises the Commissioner and Board of Regents for Elementary and Secondary Education on matters concerning the unmet educational needs of children with disabilities; (b) comments publicly on any rules or regulations proposed by the State regarding the education of children with disabilities; (c) advises the Rhode Island Department of Education in developing evaluations and reporting on data to the Secretary under section 618 of the IDEA; (d) advises RIDE in developing corrective action plans to address findings identified in Federal Monitoring Reports under Part B of the IDEA; and (e) advises the RIDE in developing and implementing policies relating to the coordination of services for children with disabilities. Membership of the committee is composed of individuals involved in or concerned with the education of children with disabilities. Parents of children with disabilities birth through 26 maintain the majority of the Committee Membership. The Membership also includes individuals with disabilities, teachers, representatives of institutions of higher education, private schools, charter schools, state and local education officials, administrators of programs for children with disabilities foster care and homelessness, vocational, community or business organizations, juvenile and adult corrections and State Child Serving Agencies. The RISEAC reviews the draft and provides suggestions and input. These are considered and, as appropriate, incorporated into the final copy of the SPP. Progress and slippage in meeting the targets in the SPP are discussed in detail regarding each indicator submitted to OSEP. All indicators are publicly available on the RIDE website at the following link: <https://www.ride.ri.gov/InformationAccountability/Accountability/StatePerformancePlan.aspx> Each year RIDE publicly reports per 34 CFR 300.602(b)(1)(i)(A). Per OSEP, this typically occurs the first week of June. The link for accessing Rhode Island's public reporting information, which details the performance of each LEA on the targets in the SPP is as: [http://www.eride.ri.gov/SPED\\_PublicReporting/](http://www.eride.ri.gov/SPED_PublicReporting/)

The Rhode Island Department of Education provided the target of 57 percent for FFY 2019 for Indicator 15 and OSEP accepted that target. This target is considered a realistic target being 2 percent above the previous year's target of 55 percent. The actual data in FY2018 was 54.55 percent as shown above. The total number of due process complaints filed in FY2019 was 11. The total number of resolution sessions that were held was 7. The number of written settlement agreements reached through the 7 resolution meetings was 3 (just below 1/2 of those that went to the 30-day resolution session). In Rhode Island there is a close existing collaborative partnership with the Rhode Island Parent Information Center (RIPIN). This allows for daily communication regarding the types of calls that are received at RIPIN and at the internal RIDE Call Center. A majority of formal complaints are disputed and resolved through the mediation process. Input regarding goals and targets are additionally reviewed annually with the Rhode Island Special Education Advisory Committee (RISEAC). Rhode Island received a small number of due process complaints and all parties involved work closely to work towards a resolution during the 30-day resolution session before a hearing officer is formally appointed. It shall be noted that the total number of due process complaints that were withdrawn or dismissed (including resolved without a hearing) was 8. This is a positive number that is not specifically reflected in this indicator's submission.

Rhode Island works closely with the Center for Appropriate Dispute Resolution in Special Education (CADRE) to monitor its special education dispute



resolution system. After submitting an application and participating in interviews Rhode Island was selected to be apart of a written state complaint workgroup for improving its overall dispute resolution system. CADRE has provided close 1:1 technical assistance and recommendations on improvements to the system including database review, tracking input and how to improve the marketing of the overall system. RIDE will continue to work on improvements to the system with CADRE's recommendations and review. Participation in CADRE webinars is frequent.

#### Historical Data

Baseline Year	Baseline Data
2005	42.00%

FFY	2014	2015	2016	2017	2018
Target >=	52.00%	53.00%	54.00%	55.00%	56.00%
Data	60.00%	75.00%	53.85%	57.14%	54.55%

#### Targets

FFY	2019
Target >=	57.00%

#### FFY 2019 SPP/APR Data

3.1(a) Number resolutions sessions resolved through settlement agreements	3.1 Number of resolutions sessions	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
3	7	54.55%	57.00%	42.86%	Did Not Meet Target	Slippage

#### Provide reasons for slippage, if applicable

The data relating to requests for special education due process complaints, special education due process complaint resolution sessions, and decisions of special education due process complaints in Rhode Island submitted in the EdFacts Metadata and Process System for FFY 2019 (Section C) is as follows:

- (3) Total number of due process complaints filed. 11
- (3.1) Resolution meetings. 7
- (3.1)(a) Written settlement agreements reached through resolution meetings. 3
- (3.2) Hearings fully adjudicated. 2
- (3.2)(a) Decisions within timeline (include expedited). 0
- (3.2)(b) Decisions within extended timeline. 0
- (3.3) Due process complaints pending. 1
- (3.4) Due process complaints withdrawn or dismissed (including resolved without a hearing). 8

The data for FFY 2018 is as follows:

- (3) Total number of due process complaints filed. 21
- (3.1) Resolution meetings. 11
- (3.1)(a) Written settlement agreements reached through resolution meetings. 6
- (3.2) Hearings fully adjudicated. 2
- (3.2)(a) Decisions within timeline (include expedited). 1
- (3.2)(b) Decisions within extended timeline. 1
- (3.3) Due process complaints pending. 2
- (3.4) Due process complaints withdrawn or dismissed (including resolved without a hearing). 17

The measurement for this indicator is:

Percent = (3.1(a) divided by 3.1) times 100.

(# of Written settlement agreements reached through resolution meetings / # Resolution meetings) times 100.

FFY 2018 – (6/11) times 100 = 54.55 percent

FFY 2019 – (3/7) times 100 = 42.86 percent

The reason for slippage is that there was a decrease in the total number of "Written settlement agreements reached through resolution meetings" by 3 from FYY2018 and a decrease in the number of "Resolution meetings" by 4 from FYY 2018 resulting in a total slippage of 11.69 percent for the indicator calculation. It shall be noted that there was also a decrease in the total number special education due process complaints received (11 FFY 2019 v. 21 FFY 2018).

#### Provide additional information about this indicator (optional)

##### IMPACT OF COVID-19

On March 9, 2020 the Rhode Island Governor declared a state of emergency and on March 13, 2020 the Commissioner of Education announced that school buildings would be closed. After March 13 through the end of FFY 19 the Rhode Island Department of Education (RIDE) only received 4 special education due process complaints. During the same timeframe in FFY 18 the Rhode Island Department of Education received 8 special education due

process complaints. This shows that the COVID-19 pandemic influenced the number of special education due process complaints filed at RIDE and thus resulted in a decrease in the number of written settlement agreements reached through resolution meetings and the number of resolution meetings showing a decrease in the percentage of this indicator.

### **15 - Prior FFY Required Actions**

None

### **15 - OSEP Response**

The State reported fewer than ten resolution sessions held in FFY 2019. The State is not required to meet its targets until any fiscal year in which ten or more resolution sessions were held.

### **15 - Required Actions**

## Indicator 16: Mediation

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part B / General Supervision

**Results indicator:** Percent of mediations held that resulted in mediation agreements.

(20 U.S.C. 1416(a)(3)(B))

#### Data Source

Data collected under section 618 of the IDEA (IDEA Part B Dispute Resolution Survey in the EDFacts Metadata and Process System (EMAPS)).

#### Measurement

Percent =  $(2.1(a)(i) + 2.1(b)(ii))$  divided by 2.1 times 100.

#### Instructions

Sampling is not allowed.

Describe the results of the calculations and compare the results to the target.

States are not required to establish baseline or targets if the number of resolution sessions is less than 10. In a reporting period when the number of resolution sessions reaches 10 or greater, develop baseline, targets and improvement activities, and report on them in the corresponding SPP/APR.

States may express their targets in a range (e.g., 75-85%).

If the data reported in this indicator are not the same as the State's data under IDEA section 618, explain.

States are not required to report data at the LEA level.

## 16 - Indicator Data

### Select yes to use target ranges

Target Range not used

### Prepopulated Data

Source	Date	Description	Data
SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/04/2020	2.1 Mediations held	17
SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/04/2020	2.1.a.i Mediations agreements related to due process complaints	0
SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/04/2020	2.1.b.i Mediations agreements not related to due process complaints	12

Select yes if the data reported in this indicator are not the same as the State's data reported under section 618 of the IDEA.

NO

### Targets: Description of Stakeholder Input

Rhode Island Department of Education (RIDE) first compiled and analyzed data for the development of the State Performance Plan (SPP) and Annual Performance Report (APR) utilizing the expertise of internal personnel. A draft along with the data was reviewed with the Rhode Island Special Education Advisory Committee (RISEAC). RISEAC (a) advises the Commissioner and Board of Regents for Elementary and Secondary Education on matters concerning the unmet educational needs of children with disabilities; (b) comments publicly on any rules or regulations proposed by the State regarding the education of children with disabilities; (c) advises the Rhode Island Department of Education in developing evaluations and reporting on data to the Secretary under section 618 of the IDEA; (d) advises RIDE in developing corrective action plans to address findings identified in Federal Monitoring Reports under Part B of the IDEA; and (e) advises the RIDE in developing and implementing policies relating to the coordination of services for children with disabilities. Membership of the committee is composed of individuals involved in or concerned with the education of children with disabilities. Parents of children with disabilities birth through 26 maintain the majority of the Committee Membership. The Membership also includes individuals with disabilities, teachers, representatives of institutions of higher education, private schools, charter schools, state and local education officials, administrators of programs for children with disabilities foster care and homelessness, vocational, community or business organizations, juvenile and adult corrections and State Child Serving Agencies. The RISEAC reviews the draft and provides suggestions and input. These are considered and, as appropriate, incorporated into the final copy of the SPP. Progress and slippage in meeting the targets in the SPP are discussed in detail regarding each indicator submitted to OSEP. All indicators are publicly available on the RIDE website at the following link:

<https://www.ride.ri.gov/InformationAccountability/Accountability/StatePerformancePlan.aspx> Each year RIDE publicly reports per 34 CFR 300.602(b)(1)(i)(A). Per OSEP, this typically occurs the first week of June. The link for accessing Rhode Island's public reporting information, which details the performance of each LEA on the targets in the SPP is as: [http://www.eride.ri.gov/SPED\\_PublicReporting/](http://www.eride.ri.gov/SPED_PublicReporting/)

Rhode Island additionally works closely with the Center for Appropriate Dispute Resolution in Special Education (CADRE) to monitor its special education dispute resolution system. After submitting an application and participating in interviews Rhode Island was selected to be apart of a written state complaint workgroup for improving its overall dispute resolution system. CADRE has provided close 1:1 technical assistance and recommendations on improvements to the system including database review, tracking input and how to improve the marketing of the overall system. RIDE will continue to work on improvements to the system with CADRE's recommendations and review. Participation in CADRE webinars is frequent.

### Historical Data

Baseline Year	Baseline Data
2005	79.00%

FFY	2014	2015	2016	2017	2018
Target >=	87.00%	88.00%	89.00%	90.00%	91.00%
Data	80.95%	82.50%	74.07%	85.00%	92.59%

#### Targets

FFY	2019
Target >=	92.00%

#### FFY 2019 SPP/APR Data

2.1.a.i Mediation agreements related to due process complaints	2.1.b.i Mediation agreements not related to due process complaints	2.1 Number of mediations held	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
0	12	17	92.59%	92.00%	70.59%	Did Not Meet Target	Slippage

#### Provide reasons for slippage, if applicable

The data relating to requests for special education mediations, special education mediations held, and the outcomes of special education mediations in Rhode Island submitted in the EdFacts Metadata and Process System for FFY 2019 is as follows:

- (2) Total number of mediation requests received through all dispute resolution processes. 31
- (2.1) Mediations held. 17
- (2.1) (a) Mediations held related to due process complaints. 3
- (2.1) (a) (i) Mediation agreements related to due process complaints. 0
- (2.1) (b) Mediations held not related to due process complaints. 14
- (2.1) (b) (i) Mediation agreements not related to due process complaints. 12
- (2.2) Mediations pending. 1
- (2.3) Mediations withdrawn or not held. 13

The data for FFY 2018 is as follows:

- (2) Total number of mediation requests received through all dispute resolution processes. 40
- (2.1) Mediations held. 27
- (2.1) (a) Mediations held related to due process complaints. 1
- (2.1) (a) (i) Mediation agreements related to due process complaints. 1
- (2.1) (b) Mediations held not related to due process complaints. 26
- (2.1) (b) (i) Mediation agreements not related to due process complaints. 24
- (2.2) Mediations pending. 0
- (2.3) Mediations withdrawn or not held. 13

The measurement for this indicator is:

Percent = (2.1(a)(i) + 2.1(b)(i)) divided by 2.1 times 100.

(# of mediations agreements related to due process complaints + # of mediation agreements not related to due process complaints) / # of mediations held times 100

FFY 2018 – (1 + 24) / 27 times 100 = 92.59 percent

FFY 2019 – (0 + 12) / 17 times 100 = 70.59 percent

The reason for slippage is that there was a decrease in the total number of mediation “agreements” by 13 from FFY2018 and a decrease in the total number of mediations “held” by 10 from FFY 2018 resulting in a total slippage of 22 percent. It shall be noted that there was also a decrease in the total number of mediation requests (31 FFY 2019 v. 40 FFY 2018).

#### Provide additional information about this indicator (optional)

##### IMPACT OF COVID-19

On March 9, 2020 the Rhode Island Governor declared a state of emergency and on March 13, 2020 the Commissioner of Education announced that school buildings would be closed. After March 13 through the end of FFY 19 the Rhode Island Department of Education only received 3 requests for mediation. During the same timeframe in FFY 18 the Rhode Island Department of Education received 16 mediation requests. This shows that the COVID-19 pandemic influenced the number of special education mediation requests filed and thus resulted in a decrease of the number of mediations held and the number of mediation agreements. During this time the Rhode Island Department of Education recommended that LEAs and parents work closely to solve issues and that family/district partnerships remained essential. These partnerships are shown through the decrease in mediation requests.

The measurement for this indicator is:

Percent = (2.1(a)(i) + 2.1(b)(i)) divided by 2.1) times 100.

(# of mediations agreements related to due process complaints + # of mediation agreements not related to due process complaints) / # of mediations held times 100

The calculation of this indicator does not incorporate the number of mediation requests that were withdrawn or not held. During FFYs 2018 and 2019 that number was both 13. This shall be positively reflected in the ability of Rhode Island LEAs and parents to work positively and collaboratively towards an immediate agreement before an assigned mediator effectively schedules and mediates the alleged issue. The Rhode Island Department of Education has an internal special education call center that receives all requests for mediations which are received and processed in a timely manner. During the processing phase the Call Center Specialist calls the opposing party whether it be the parent or the LEA to immediately provide notification at the time of the mediation requests. In many occasions the LEA and parent are able to immediately address concerns during the mediation processing phase which leads to the withdrawal of the mediation request.

#### **16 - Prior FFY Required Actions**

None

#### **16 - OSEP Response**

#### **16 - Required Actions**

## **Certification**

### **Instructions**

Choose the appropriate selection and complete all the certification information fields. Then click the "Submit" button to submit your APR.

#### **Certify**

**I certify that I am the Chief State School Officer of the State, or his or her designee, and that the State's submission of its IDEA Part B State Performance Plan/Annual Performance Report is accurate.**

#### **Select the certifier's role:**

Designated by the Chief State School Officer to certify

**Name and title of the individual certifying the accuracy of the State's submission of its IDEA Part B State Performance Plan/Annual Performance Report.**

#### **Name:**

Susan Wood

#### **Title:**

Senior Administrator, Quality Assurance Services

#### **Email:**

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#### **Phone:**

401-222-8992

#### **Submitted on:**

04/28/21 4:13:13 PM